FAO INPUTS IN RELATION TO RESOLUTION A/RES/78/69

CONCERNING "OCEANS AND THE LAW OF THE SEA"

FOR THE REPORT OF THE SECRETARY-GENERAL TO THE SEVENTY-NINETH SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY

14 JUNE 2024

SECTION I - IMPLEMENTATION OF THE CONVENTION AND RELATED AGREEMENTS AND INSTRUMENTS

OPERATIVE PARAGRAPH 4 - Harmonizing national legislation with the Convention

The Food and Agriculture Organization of the United Nations (FAO) continues to support its Member Nations in the development of fisheries and aquaculture legislation and to contribute to national efforts towards achieving the relevant Sustainable Development Goals (SDGs). The assistance provided places emphasis on ensuring that national legislation is consistent with international law, in particular the United Nations Convention on the Law of the Sea of 10 December 1982 (the "Convention") and relevant agreements and instruments. National legislation is developed or revised to ensure effective implementation of the provisions of the Convention, including the provisions relating to the rights and duties of Member Nations within waters under national jurisdiction such as ensuring adequate levels of fisheries monitoring, control and surveillance (MCS), and the effective exercise of States' jurisdiction over flagged (fishing) vessels on the high seas and in waters under the jurisdiction of other States. The development and revision of national fisheries legislation also takes into account binding decisions adopted by Members or Contracting Parties to Regional Fisheries Management Organizations and/or Arrangements (RFMO/As) which are recognized under the Convention as bodies through which States may cooperate on fisheries management and conservation.

The agreements which FAO takes into account in providing assistance to its Member Nations include:

- the 1995 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 (UNFSA) – 93 parties,
- the FAO 1993 Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas (the "Compliance Agreement") – 45 parties, and
- the FAO 2009 Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (PSMA) – 78 parties.

The provision of assistance for the review and enhancement of the fisheries and aquaculture legislation of Member Nations also takes into account the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), given the growing number of commercially exploited aquatic species such as species of sharks and rays which have been included in the Appendix II of CITES over the last decade. The second edition of a study and guide developed by FAO in collaboration with the CITES Secretariat was

published in 2023, based on the outcomes of the CITES 19th Conference of the Parties (CoP).[1] In 2023, FAO and the CITES Secretariat initiated joint legal assistance to Peru.

In the future, the legal assistance provided by FAO related to fisheries and aquaculture legislation will also need to consider two recently adopted (but not yet into force) treaties which interact with fisheries governance: the World Trade Organization (WTO) 2022 Agreement on Fisheries Subsidies, and the 2023 Agreement 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 (the "BBNJ Agreement"). To the extent appropriate and possible, the review and enhancement of national fisheries and aquaculture legislation will also consider the relevant judgments and advisory opinions of international courts and tribunals including jurisprudence of the International Tribunal for the Law of the Sea (ITLOS), in particular, the Advisory Opinions held in the Cases No. 21 and No. 31. FAO had submitted written statements to the ITLOS within the proceedings of these two cases.[2]

Additionally, FAO takes into account relevant non-binding instruments in the revision of existing, and development of new, fisheries and aquaculture legislation. Among these non-binding instruments are the 1995 Code of Conduct for Responsible Fisheries (CCRF) and its supplementary technical guidelines, international plans of action and voluntary instruments, such as the 2008 International Guidelines for the Management of Deep-sea Fisheries in the High Seas, the 2014 Voluntary Guidelines on Flag State Performance (VGFSP), the 2014 Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines), the 2017 Voluntary Guidelines for Catch Documentation Scheme (CDS), the 2018 Voluntary Guidelines on the Marking of Fishing Gear (VGMFG) and the 2022 Voluntary Guidelines for Transshipment. These non-binding instruments and their principles, approaches and tools are incorporated into national fisheries and aquaculture legislation with the agreement of the concerned government and in consultation with stakeholders. Among the principles, approaches and tools that are important to guide the development of fisheries and aquaculture legislation are the precautionary principle, the principles of stakeholder participation in decision-making, including through co-management, the application of Environmental Impact Assessment (EIA) in deep sea fisheries, as well as the Ecosystem Approach to Fisheries (EAF), Ecosystem Approach to Aquaculture (EAA) and the Human Rights-Based Approach (HRBA) to fisheries.

Since 2020, FAO provided legal assistance including training for the implementation of the above-mentioned agreements and international fisheries related instruments to a number of Member Nations.[3] More specifically, in 2023 and 2024, FAO assisted Cabo Verde, Côte d'Ivoire, Guyana, and Senegal in assessing their legal and policy frameworks regulating coastal fisheries based on the SSF Guidelines, the EAF, gender dimensions, and the Agreement on Sanitary and Phytosanitary Measures ("SPS Agreement") in the fisheries value-chain, leading to the drafting of regulations in Côte d'Ivoire and Cabo Verde. FAO

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1 2023. *Implementing the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) through national fisheries legal frameworks -– A study and a guide*. Second edition. FAO Legal Guide No. 4. Rome. https://doi.org/10.4060/cc8051en.

2 See FAO's written statements available at https://itlos.org/fileadmin/itlos/documents/cases/case_no.21/written_statements_round1/C21_Written_Statement_1_FAO.pdf (for Case No. 21) and https://itlos.org/fileadmin/itlos/documents/cases/31/written_statements/3/C31-WS-3-2-FAO.pdf.

3 The first group of countries assisted were: Cambodia, Ghana, Guyana, Kenya, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Somalia and Trinidad and Tobago.

also supported the drafting of a new national fisheries Act for Saint Vincent and the Grenadines and Sri Lanka respectively, as well as the drafting of general fisheries regulations for Sao Tome and Principe, drafting of fisheries co-management regulations and aquaculture bill for Guyana, and PSMA-related implementing regulations for Ghana. FAO continues to provide legal assistance to Angola, Brazil, Cape Verde, Comoros, Congo, Equatorial Guinea, Fiji, The Gambia, Ghana, Guinea, Guinea-Bisau, Kenya, Madagascar, Mozambique, Papua New Guinea, Saint Kitts and Nevis, Sao Tome and Principe, South Africa, Sri Lanka, United Republic of Tanzania, Timor Leste and Zimbabwe for the development and/or implementation of their national fisheries' legal frameworks.

FAO has continued to expand the available country profiles in the policy and legal database dedicated to small-scale fisheries "SSF-LEX",[4] which provides 13 profiles (Albania, Cabo Verde, Gambia, Ghana, Morocco, Namibia, Oman, Senegal, Solomon Islands, South Africa, Togo, Tunisia, and Türkiye), as of May 2024.

The support provided by FAO to Member Nations is also organized around FAO's Strategic Framework of Better Production, Better Nutrition, Better Environment and Better Life (the 4 Betters) and the Priority Programme Areas (PPAs) of the 4 Betters. In 2023, FAO provided support to the development of policies and legal instruments under the PPA "Blue Transformation", leading to the adoption of the Policy for Blue Economy in Mauritius, implementing regulations for the Law for the Protection and Development of Lakes and Fish Resources in Egypt and the Fisheries Monitoring, Control and Inspection Policy and its Implementation Strategy in Mozambique. More specific regulations include the creation of a marine protected area where only artisanal fishing is allowed (Panama), the management plan for the Patagonian Scallop industry (Argentina), protective measures for Argentinian hake (Argentina/Uruguay) and the amending regulations of purse seine fishery licenses in Cook Islands.

SECTION II - CAPACITY-BUILDING

OPERATIVE PARAGRAPHS 10 to 51 - *Capacity-building for the conservation and sustainable use of marine resources*

Development of technical legal skills at national level for the implementation of the Convention

FAO develops technical skills in support of the implementation of the Convention at the national level through capacity building activities under technical cooperation programmes and projects. Such capacity building activities include increasing awareness of the rights and obligations of Member Nations under the Convention, related international fisheries instruments and the implementation of relevant approaches, such as the EAF through national policy and legal instruments. Such assistance has been provided in 2023 and 2024 through the following activities:

- Assistance to Congo, Côte d'Ivoire, Sao Tome and Principe, and the United Republic of Tanzania in capacity building for the implementation of the EAF through these countries' national fisheries legal framework;

[4] https://ssflex.fao.org.

- Awareness-raising on the implementation of the EAF, by continuing the publication of legal reports that assess the level of alignment of their respective policy and legal instruments with the EAF, using *A diagnostic tool for implementing an ecosystem approach to fisheries through policy and legal frameworks*[5] (27 reports have been published, as of May 2024);
- Participation in training of government officials and technical experts in Anglophone countries in Africa (Ghana, Namibia, Kenya, and South Africa) on the use of the Legislative Guide on Combatting Crimes in the Fisheries Sector,[6] developed by the United Nations Office on Drugs and Crime (UNODC), with technical inputs from FAO;
- Co-delivery of the Ocean Governance Capacity Building Training Program, in partnership with the World Bank and its ProBlue Project, the UN Division for Oceans and the Law of the Sea (UNDOALOS), the International Seabed Authority (ISA), the University of Melbourne, and the University of Nantes, delivered for the Latin America and Caribbean region in both English and Spanish, in May 2024.

FAO and the International Maritime Law Institute (IMLI) of the International Maritime Organization (IMO) designed and have been delivering a competency-based Fisheries Law Training Course to Member Nations' government officials in English, French and Spanish. The most recent course, delivered from 23 October to 10 November 2023, trained participants to, *inter alia*: (i) be more engaged in the management of living marine resources; (ii) implement relevant international instruments in national laws and practice; (iii) identify the elements of offences in fisheries legislation for improved enforcement; (iv) develop an understanding of evidentiary requirements for the purposes of prosecutions; and (v) apply best practices in the detection, investigation, and prosecution of fisheries offences and violations.

FAO continues to strengthen its cooperation and collaboration in capacity building with numerous international and regional institutions including the CITES Secretariat, United Nations Environment Programme (UNEP), UNODC, IMO, International Labour Organization (ILO), and the Pacific Forum Fisheries Agency (FFA).

Capacity building to combat illegal, unreported and unregulated (IUU) fishing

Since 2017, when 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* (hereafter the 'Programme'), the European Union (EU), Germany, Iceland, Norway, the Republic of Korea, Spain, Sweden and the United States of America (USA) have committed approximately USD 35 million for the implementation of the Programme. Developing Coastal States and Small Island Developing Sates (SIDS), both Parties and non-Parties to the PSMA, are benefiting from the Programme. The Programme includes activities to:

- Assess the needs for strengthening national legislation, institutional frameworks, and MCS systems and operations with respect to port, flag, coastal, and market State responsibilities, including the drafting of national strategies and action plans for implementation;
- Support the review and development or revision of relevant fisheries policies and laws;

[5] FAO. 2021. A diagnostic tool for implementing an ecosystem approach to fisheries through policy and legal frameworks. Rome. https://www.fao.org/3/cb2945en/cb2945en.pdf.

[6] Available at https://sherloc.unodc.org/cld/uploads/pdf/Combating_Crimes_in_the_Fisheries_Sector_-_A_Guide_to_Good_Legislative_Practices.pdf.

- Address the identified weaknesses of MCS institutions, systems and operations, including through establishing and strengthening mechanisms for regional coordination and cooperation;
- Support to recipient countries in strengthening inter-agency cooperation for effective implementation of the PSMA and complementary instruments;
- Improve flag State performance and implement market-related measures, such as CDS and traceability schemes;
- Develop and implement training and capacity building;
- 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 (the "FAO Global Record"), the PSMA Global Capacity Development Portal, and the Global Information Exchange System (GIES); and
- Support participation in the meetings of the Parties and subsidiary working groups of the PSMA, and relevant meetings on the FAO Global Record.

Hitherto, FAO has supported up to 56 Member Nations to strengthen their capacity for effective implementation of the PSMA and related international instruments and regional mechanisms to combat IUU fishing. Support to countries is demand-driven and tailored to accommodate specific requirements of Member Nations to enhance their legal, policy, institutional, operational and technical capacities. FAO also provided international training on fisheries law and port inspections. Furthermore, Member Nations have been supported in using regional and international tools and mechanisms for information-sharing and cooperation for the effective implementation of the PSMA and complementary international instruments, including the FAO Global Record and the GIES.

Under the Programme, FAO published capacity building materials and guidance documents to facilitate States' legal, policy-level, institutional and operational alignment with the PSMA and related international and regional instruments to combat IUU fishing. Examples of guidance documents and related activities from September 2023 to August 2024 include:

- Checklists and technical guidelines to combat IUU fishing – Volume III ("Checklist of MCS systems, operations, procedures and tools");[7]

[7] FAO. 2024. *Checklists and technical guidelines to combat illegal, unreported and unregulated (IUU) fishing. Volume III: Checklist of MCS systems, operations, procedures and tools*. Rome. https://doi.org/10.4060/cd0245en.

- Technical Guidelines on Methodologies and Indicators for the Estimation of the Magnitude and Impact of IUU fishing – Volumes 1 ("Principles and approaches"),[8] 2 ("A practical guide on delivering an estimate",[9] and 3 ("A catalogue of examples").[10]

Capacity building in support of the implementation of the SSF Guidelines

FAO supports capacity building and awareness-raising activities for governments, small-scale fisheries organisations (including regional small-scale fisheries organizations) and other stakeholders with a view to advance and promote the participatory implementation of the SSF Guidelines. This support is facilitated through the FAO Umbrella Programme for the promotion and application of the SSF Guidelines (the "SSF Umbrella Programme") with funding from the Swedish International Development Cooperation Agency (Sida), a multi-donor mechanism supported by Norway, the Blue Transformation Umbrella Programme with funding from the EU and the Global Environment Facility (GEF).

A wide range of partners is supporting capacity development in support of the implementation of the SSF Guidelines, including the Coastal Fisheries Initiative (CFI), International Planning Committee for Food Sovereignty (IPC) Working Group on Fisheries, International Collective in Support of Fishworkers, Too Big To Ignore Global Partnership for Small-Scale Fisheries (TBTI), International Ocean Institute – Southern Africa, African Women Fish Processors and Traders Network, Caribbean Network of Fisherfolk Organisations, *Fédération des Pêcheurs Artisans de L'Ocean Indien* and the *Confédération Africaine des Organisations Professionnelles de la pêche artisanale*, World Fish and Duke University.

In the reporting period from 2023 to 2024, FAO has contributed to capacity building and awareness raising with respect to the implementation of the SSF Guidelines, through the following main activities:

- National Plans of Action for Small-Scale Fisheries (NPOA-SSF):
  - Development and launch of the NPOAs-SSF in Malawi[11] and Uganda;[12]
  - Continued support to the development of the NPOAs-SSF in the Philippines [13] and Madagascar;[14]

[8] FAO. 2023. *Implementation of the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing – 1. Methodologies and indicators for the estimation of the magnitude and impact of illegal, unreported and unregulated fishing: 1.1 Principles and approaches.* FAO Technical Guidelines for Responsible Fisheries, No. 9, Suppl. 1, Vol. 1. Rome. https://doi.org/10.4060/cc6434en.

[9] FAO. 2023. *Implementation of the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing – 1. Methodologies and indicators for the estimation of the magnitude and impact of illegal, unreported and unregulated fishing: 1.2 A practical guide to delivering an estimate.* FAO Technical Guidelines for Responsible Fisheries, No. 9, Suppl. 1, Vol. 2. Rome. https://doi.org/10.4060/cc9076en.

[10] FAO. 2023. *Implementation of the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing – 1. Methodologies and indicators for the estimation of the magnitude and impact of illegal, unreported and unregulated fishing: 1.3 A catalogue of examples.* FAO Technical Guidelines for Responsible Fisheries, No. 9, Suppl. 1, Vol. 3. Rome. https://doi.org/10.4060/cc9054en.

[11] https://www.fao.org/voluntary-guidelines-small-scale-fisheries/in-action/where-we-work/malawi/en.

[12] https://www.fao.org/voluntary-guidelines-small-scale-fisheries/in-action/where-we-work/uganda/en.

[13] https://www.fao.org/voluntary-guidelines-small-scale-fisheries/in-action/where-we-work/philippines/en.

[14] https://www.fao.org/voluntary-guidelines-small-scale-fisheries/in-action/where-we-work/madagascar/en.

- Support for the implementation of the NPOAs-SSF in Namibia[15] and Tanzania[16] has been provided through capacity support to National Task Teams, comprised of local small-scale fisheries stakeholders such as representatives from small-scale fisheries organizations, relevant government agencies, non-government organizations (NGOs), academia who are responsible for coordinating the development and implementation of their respective NPOA-SSFs, preparation of policy briefs, etc.;
- Release of a dedicated support website[17] with manual[18], guide for trainers[19] and e-learning[20] on the NPOA-SSF.

- Release of baseline survey,[21] focusing on empowering women in small-scale fisheries in Indonesia, Madagascar, Namibia and the Philippines;
- Following the publication of the study *Illuminating Hidden Harvests (IHH) - the contributions of small-scale fisheries to sustainable development* co-developed by FAO, Duke University and WorldFish, published in March 2023, FAO published *Applying the IHH approach*[22] in 2024, and released a related e-learning course,[23] to facilitate the collection and analysis of data and information on the multiple dimensions of small-scale fisheries. In addition, a series of IHH-based policies have been published, including on *The contribution of small-scale fisheries to healthy food systems in the United Republic of Tanzania*,[24] *and Uganda;*[25] and *The contribution of small-scale fisheries to healthy food systems and sustainable livelihoods in the Southern African Development Community.*[26]
- Continued engagement of small-scale fisheries actors in policy processes through the IPC Working Group on Fisheries and the Advisory Group of the Global Strategic Framework for SSF Guidelines implementation;
- Hosting of the 2nd Small-Scale Fisheries Summit (SSF Summit), from 5 to 7 July 2024, prior to the 36th Session of the FAO Committee on Fisheries (COFI) in collaboration with the IPC Working Group on Fisheries, the General Fisheries Commission for the Mediterranean (GFCM), the SSF Hub and Swedbio, with funding support from the EU, providing a platform for non-state actors to coordinate and advance their engagement at different levels and organizational skills;
- A collaboration with international training institutes for inclusion of small-scale fisheries and SSF Guidelines sessions in relevant curricula such as the annual Advanced Specialized Course on

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15 https://www.fao.org/voluntary-guidelines-small-scale-fisheries/in-action/where-we-work/namibia/en.

16 https://www.fao.org/voluntary-guidelines-small-scale-fisheries/in-action/where-we-work/tanzania/en.

17 https://www.fao.org/voluntary-guidelines-small-scale-fisheries/news/newsletter/en#.

18 https://doi.org/10.4060/cc9781en.

19 https://doi.org/10.4060/cc9776en.

20 https://elearning.fao.org/course/view.php?id=1080.

21 https://doi.org/10.4060/cd0102en.

22 FAO, Duke University & WorldFish. 2024. *Applying the Illuminating Hidden Harvests approach – Compiling data on the contributions of small-scale fisheries to sustainable development. Rome.* https://doi.org/10.4060/cc9005en.

23 https://elearning.fao.org/course/view.php?id=1050.

24 FAO. 2024. *The contribution of small-scale fisheries to healthy food systems and sustainable livelihoods in the United Republic of Tanzania. Rome.* https://doi.org/10.4060/cc7606en.

25 FAO. 2023. *The contribution of small-scale fisheries to healthy food systems and sustainable livelihoods in Uganda. Rome.* https://doi.org/10.4060/cc7604en.

26 FAO. 2024. *The contribution of small-scale fisheries to healthy food systems and sustainable livelihoods in the Southern African Development Community*. Rome. https://doi.org/10.4060/cd0770en.

Sustainable Development of Coastal Communities for Africa and the Mediterranean with the Mediterranean Agronomic Institute of Bari (CIHEAM Bari);

- Ongoing support to SSF organizations, in particular women, to become well established and improve their skills and livelihoods through various post-harvest activities by providing small processing equipment and dedicated training courses on good post-harvest practices in Ghana, Madagascar, Uganda, Tanzania, Namibia and Malawi. Related good-practice videos[27] have been released that can be used for trainings.
- Release of *A handbook on small-scale fisheries governance, in support of the implementation of the SSF Guidelines*[28] grounded in case studies from around the world;
- Development of the e-learning course *Fish loss assessment methods*,[29] published in November 2023;
- Release of the FAO Technical Paper on Small Fish for Food Security[30] which documents project implementation and lessons from the FAO subprogramme "*Implementing the Small-Scale Fisheries Guidelines for gender-equitable and climate-resilient food systems and livelihoods*", and the SmallFishFood, Ikan-F3, Dried Fish Matters, and Fish4Food projects led by the University of Bergen, the University of Amsterdam and the University of Manitoba.

<u>Capacity building in support of the implementation of the EAF</u> (ALSO RELATED TO OPERATIVE PARAGRAPHS 194 TO 197)

In accordance with the 2021 FAO COFI Declaration for Sustainable Fisheries and Aquaculture, which reiterates the importance of the ecosystem approach as an effective framework for integrating conservation and sustainable utilization objectives in fisheries management, FAO continues to support the development of technical capacity for the EAF, and has developed a range of tools, products and materials including guidance at global, regional and national levels to enhance its implementation considering the various needs for the different steps of a fisheries management cycle. FAO supports countries and regional organizations through specific training activities and applied support for strengthening legal and policy frameworks and for fisheries management plan development. FAO has several large projects running that explicitly include implementation of EAF in their scope of work in Latin America (e.g. Strengthening the EAF for coastal fisheries in Argentina and Chile), the Caribbean (e.g. Promoting National Blue Economy Priorities Through Marine Spatial Planning in the Caribbean Large Marine Ecosystem Plus (BE-CLME+), EAF for shrimp and groundfish fisheries (EAF4SG), the Mediterranean (e.g. Mediterranean Fisheries Management Support Projects, Fisheries and ecosystem based management for Blue Economy), Africa (e.g. EAF-Nansen Programme, the Canary Current Large Marine Ecosystem project (CCLME), the CFI in West Africa, and the Southwest Indian Ocean Fisheries Commission (SWIOFC)-Nairobi Convention Partnership Project, Asia (e.g. EAF-Nansen Programme, Bay of Bengal Large Marine Ecosystem Project (BOBLME) and Areas Beyond National Jurisdiction (Common Oceans

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[27] https://www.fao.org/voluntary-guidelines-small-scale-fisheries/news/news-detail/new-videos-available-to-boost-training-on-improved-post-harvest-small-scale-fisheries-practices/en.

[28] FAO. 2024. Small-scale fisheries governance – *A handbook in support of the implementation of the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the context of Food Security and Poverty Eradication*. Rome. https://doi.org/10.4060/cc9784en.

[29] Available at https://elearning.fao.org/course/view.php?id=1031 (accessed 3 June 2024).

[30] https://doi.org/10.4060/cc6229en.

Programme - Tuna and Deep Sea Fisheries projects). Examples of such assistance provided from September 2023 to August 2024 include:

- Training for scaling up the EAF for fishing communities applying also the SSF Guidelines to create synergies in the context of small-scale fisheries;
- Advice on the review of fisheries legislation in accordance with the EAF, and on the development of new fisheries policy and legislation aligned with the EAF;
- Training of Trainers on the EAF and the EAF-Implementation Monitoring Tool, at the Université Cheikh Anta Diop de Dakar, Senegal, 2023;
- National and regional applied training on the use of the EAF Implementation Monitoring Tool to set EAF Implementation baselines and monitor progress;
- Ongoing activities to support EAF fisheries management plan development and implementation in various countries (including: Angola, Benin, Cabo Verde, Côte d'Ivoire, the Gambia, Guyana, Mauritania, Namibia, Oman, the Philippines, Tanzania, Togo, Sao Tome and Principe, Senegal, Suriname, Trinidad and Tobago and Tunisia);
- Support to national authorities and fishing communities to develop co-management for small-scale fisheries (Cabo Verde, Côte d'Ivoire, Madagascar, Mozambique, Senegal and Tanzania);
- Ongoing knowledge sharing on fisheries co-management between Cabo Verde, Côte d'Ivoire, Ecuador, Indonesia, Peru and Senegal;
- E-learning courses related to the EAF are available at FAO e-learning Academy providing a comprehensive overview of the EAF process.[31]
- A new methodology dedicated to community trainings on the EAF was elaborated and tested in three pilot sites (Cabo Verde, Côte d'Ivoire and Senegal). Testing has allowed for the continuous improvement of the training material which evolved into a Board Game on the EAF that will be further tested in the course of 2024.

SECTION VIII - MARITIME SAFETY AND SECURITY AND FLAG STATE IMPLEMENTATION

OPERATIVE PARAGRAPHS 114 to 122 – *Decent work and employment in fisheries and aquaculture*

Advancing the social protection agenda in the fisheries sector

FAO, in adherence to the 2021 COFI Declaration for Sustainable Fisheries and Aquaculture, the SSF Guidelines and the 2030 Agenda for Sustainable Development, in addition to supporting the ILO 2007 Working in Fishing Convention (C-188) and the ILO 2012 Social Protection Floors Recommendation (C-202), is working towards advancing the social protection agenda in the fisheries sector, including the promotion of decent work. To achieve this, in addition to the FAO regular funds, FAO, with the financial

[31] Six e-learning modules are available at https://elearning.fao.org/course/view.php?id=953; https://elearning.fao.org/course/view.php?id=933; https://elearning.fao.org/course/view.php?id=872; https://elearning.fao.org/course/view.php?id=953 ; https://elearning.fao.org/course/view.php?id=933; https://elearning.fao.org/course/view.php?id=872; https://elearning.fao.org/course/view.php?id=784; https://elearning.fao.org/course/view.php?id=753; https://elearning.fao.org/course/view.php?id=1088.

support of Norway through component 4 of the GCP/GLO/352/NOR project, developed and delivered the following capacity building activities:

- Organizing and delivering the 2023 World Fisheries Day High Level Event on the role of fishing ports and how ports can contribute to secure the social sustainability and decent working conditions in the fisheries sector in collaboration with the Holy See;
- Expanded social protection programmes to fishers and fish-farmers in Colombia, Paraguay and Tunisia under the Norwegian Agency for Development Cooperation (Norad)-funded "*Social Protection for Fisheries and Aquaculture (SocPro4Fish)*" project. Lessons from this and other initiatives can be found at COFI/2024/INF/ 14 on Social Protection for Blue Transformation which describes the multiple knowledge products achieved.
- Continued work with RFBs and RFMOs to integrate decent work and social protection, including the elimination of forced labour and child labour, into their agendas. In 2024, FAO and ILO supported the discussion on decent work conditions and the protection of crew working on fishing vessels at the South Pacific Regional Fisheries Management Organization (SPRFMO).
- Collaboration with the Bay of Bengal Programme Inter-Governmental Organisation (BOBP-IGO), to develop a regional plan of action to enhance safety, decent work and social protection in the fisheries sector of the Bay of Bengal Programme region (BOBSAFE).
- Development of the "*Scoping Study on Decent Work in Fisheries: Exploring Challenges and Evolving Legal and Policy Avenues for Strengthened Decent Work Standards".* This study identifies and examines the progress and developments in decent work within marine fisheries over the last seven years, building on and complementing another scoping study that generally covered decent work and employment in fisheries and aquaculture, published by FAO in 2016.[32] A summary of the Scoping Study was provided to the 5th FAO/ILO/IMO ad hoc Joint Working Group on Illegal, Unreported and Unregulated Fishing and related matters (JWG-IUU 5), held in Geneva between 8-12 January 2024.[33] Following the recommendations of the JWG-IUU 5,[34] this scoping study will serve as one of the corner stones for the development of guidance for national fisheries agencies to contribute to implementing relevant ILO and IMO instruments governing fishers and workers in the seafood industry throughout the supply chain. FAO will be hosting an expert workshop to validate this new scoping study in September 2024.
- Organizing, in collaboration with ILO, a workshop at FAO headquarters, also in September 2024, to support the review and validation of an updated Guidance document on Addressing Child labour in fisheries and aquaculture.
- Delivering, in May 2024, one course module on social protection for the fisheries sector, as part of the CIHEAM Bari's Advanced Specialized Course in Sustainable Development of Coastal Communities on Social Security in fisheries;
- Hosting, in collaboration with the GFCM, in February 2024, the workshop "*Extending social protection coverage to the fisheries and aquaculture sector: where we are at and how to move forward*". The workshop, part of the GFCM Forum on Fisheries Science in the Mediterranean and the Black Sea (Fish Forum), aimed to evaluate the breadth and depth of existing social protection

[32] FAO, *Scoping Study on Decent Work and Employment in Fisheries and Aquaculture: Issues and Actions for Discussion and Programming*, 2016, http://www.fao.org/3/a-i5980e.pdf.

[33] The official website of the JWG-IUU 5, https://www.fao.org/fishery/en/meeting/41432 .

[34] The official website of the JWG-IUU 5, https://www.fao.org/fishery/en/meeting/41432 .

systems, and address common access barriers faced by fishers including legal, administrative, and financial obstacles.

OPERATIVE PARAGRAPHS 111 to 189 - *Safety of fishers and fishing vessels*

From 2023 through 2024, FAO continued supporting the implementation of safety at sea capacity-building and awareness raising activities. Training of Trainers on safety at sea for small-scale fishers, and training workshops were conducted particularly in the Caribbean, Latin America and South Asia. From 8 to12 January 2024, FAO, the USA National Institute for Occupational Safety and Health (NIOSH), the Northeast Center for Occupational Health and Safety in Agriculture, Forestry and Fishing (NEC) organized the Sixth edition of the International Fishing Industry Safety and Health Conference (IFISH 6) at FAO headquarters, Rome, Italy, to help advance safety and health in the industry globally. Over 158 researchers, safety and health professionals, instructors, workers and industry experts, government and regulatory representatives and other professionals participated from over 31 countries. Three concurrent sessions covering many themes related to the successes and continued challenges associated with occupational health and safety for the fishing and seafood processing industries were conducted. Key topics included international safety norms and standards, safety gear and technologies, safety awareness and training, vessel design, risk management and insurance, the mental health and well-being of workers, the impacts of climate change and other emerging issues. The conference brought a special focus on underserved populations, as well as promising interventions that bring workers safely home to their families. A pre-conference workshop was held on 8 January 2024, devoted to global instruments and safety initiatives jointly organized by FAO, ILO, IMO, and the World Health Organization (WHO).

Furthermore, FAO continues to develop safety materials for educational and training purposes. In partnership with the Shanghai Ocean University, FAO published a training guide on the rules of the road at sea for small-scale fisheries, available in Chinese.[35] FAO published a sea safety guide for small-scale fishers in the Pacific,[36] and prepared safety posters to raise awareness on safe fishing practices in small-scale fisheries.[37]

FAO has worked with the BOBP-IGO and Sri Lankan experts on the translation of the FAO-IMO-ILO Safety Recommendations for Decked Fishing Vessels of Less than 12 metres in Length and Undecked Fishing Vessels in Sinhala and Tamil language.[38]

FAO and IMO Secretariats have produced an information paper on the establishment of a repository for fisher safety data and accident and mortality information which was discussed at the JWG-IUU 5.

The FAO World review of capture fisheries and aquaculture insurance 2022, estimates that only 16 percent of the global motorized fishing vessels operates with insurance coverage.[39] The number of fishing vessels covered by marine hull insurance is estimated at around 450 000 worldwide. Insurers, re-insurers and insurance brokers indicated that their underwriting experiences in fishing vessel insurance have

[35] https://doi.org/10.4060/cc8214zh.

[36] FAO. 2023. *Sea safety guide – A guide for small-scale fishers*. Apia. https://doi.org/10.4060/cc6257en.

[37] https://www.fao.org/fishing-safety/news-events/news/detail/en/c/1628567/.

[38] Available at https://www.fao.org/fishing-safety/resources/detail/en/c/1665560/; https://www.fao.org/fishing-safety/resources/detail/en/c/1665564/ .

[39] FAO 2022. *World review of capture fisheries and aquaculture insurance 2022*. Available at: https://doi.org/10.4060/cb9491en.

generally been good over the period 2009–2019. While large-scale industrial fishing vessels can purchase insurance cover on the international market, many small and medium-scale vessels have challenges in accessing insurance services. Between 50 and 60 percent of the semi-industrial fishing vessels (12–24 m in length) are covered by marine hull insurance. Among the small-scale fishing vessels only 1 out of 20 is currently insured. Access to accident, life and health insurance services for crew on fishing vessels and small-scale fishers in developing countries has improved in recent years.

FAO has been providing technical assistance to Member Nations with the introduction and promotion of insurance services for small-scale fishers. In Asia, such assistance is based on the Guidelines for increasing access of small-scale fishers to insurance services in Asia,[40] endorsed by the Asia-Pacific Rural and Agricultural Credit Association (APRACA) in 2019. In the Caribbean region, FAO has assessed the possibility of introducing third-party liability insurance in fisheries, on request of fishers' organizations in the region, and is advising various governments on the related legal requirements and the need for capacity-building. Moreover, FAO coordinates a global network for capacity,[41] supported by rural finance stakeholders from Africa, Asia-Pacific, the Caribbean and Latin America. From 2021 to 2024, this network has organized more than 16 webinars, including various well-attended webinars on insurance service provisions to small-scale fishers and aquaculture producers, and its members actively provide technical assistance in the establishment and improvement of micro-finance, credit and insurance programmes for small-scale fishers.

In collaboration with IMO and ILO, FAO developed a global study on integrating port State measures into the broader framework of port State control in 2023. This study will support States in identifying mechanisms, procedures and tools to ensure that the PSMA's implementation also complements and supports the implementation of the IMO 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 "IMO Cape Town Agreement") and ILO C-188 and vice versa. In addition, FAO in collaboration with IMO and ILO will deliver a training course on coordinated implementation of international instruments on fisheries, labour and safety that aims to provide participants with a sound knowledge of the PSMA and other international fisheries instruments, the IMO Cape Town Agreement and the ILO C-188, from both theoretical and practical perspectives.

SECTION IX – MARINE ENVIRONMENT AND MARINE RESOURCES

OPERATIVE PARAGRAPHS 191 to 194 – *FAO Custodianship of SDG indicators*

SDG Indicator 14.4.1 – Proportion of fish stocks within biologically sustainable levels

FAO is the custodian agency of SDG Indicator 14.4.1 which, at a global and regional level, is based on FAO's indicator on the status of fish stocks that is updated and disseminated every two years through FAO's flagship publication, the State of World Fisheries and Aquaculture (SOFIA). The latest SOFIA report *Blue*

[40] FAO 2019. *Guidelines for increasing access of small-scale fishers to insurance services in Asia*, by Uwe Tietze and Raymon van Anrooy. Rome. Italy.

[41] FAO. 2022. *The CAFI SSF Network brochure*. https://www.fao.org/fishery/en/publication/299057.

Transformation in Action was published in June 2024.[42] Within the SDG framework, reporting on the status of countries' national stocks creates both an opportunity for countries to develop strategies for sustainable fisheries and a challenge in terms of data and technical capacity for many developing countries to estimate the indicator and report in globally comparable ways.

Faced with this challenge, FAO developed tools for stock assessment applicable in data-limited situations, which resulted in the development of an e-learning course on SDG Indicator 14.4.1, published in English (2020), French, Spanish (2021), and Russian (2022). This course includes the "Stock Monitoring Tool" hosted on a Virtual Research Environment (VRE) designed as a community platform for training marine and fisheries scientists with hands-on practice of data-limited methods, and currently hosts more than 700 members of the global fisheries community.

The first national-level questionnaire aimed at enabling countries to report on their indicator was dispatched to 165 marine-bordered countries in November 2019 and FAO submitted these results to the United Nations Statistics Division (UNSD) in February 2022. Eighty-four of the 86 reports from the countries which reported were able to be assessed by FAO through its quality assurance (QA) process. This led to 30 national reports with indicators fully validated for completeness, reliability, and robustness; 36 questionnaires that passed QA level 1 (completeness and reliability); and 18 questionnaires that failed. The lessons learned from the first call for responses to the national level questionnaire have been used to improve the questionnaire for the second call for responses to the questionnaire, which was dispatched in November 2022. The questionnaire was streamlined, improved for clarity, and fields were developed to allow for greater flexibility of responses; quality assurance was built in; and more data standards were integrated to improve subsequent analysis and data management. To facilitate reporting for those countries that had fully-validated questionnaires in 2019, the questionnaire was sent pre-filled with the stock identity information, including unique identifiers assigned within the Global Record of Stock and Fisheries (GRSF) that can be used in the management of countries' stock reports. Furthermore, in addition to English, French and Spanish, and upon the request of countries, the questionnaire was made available in Arabic for the first time. Countries were given more time to respond and greater access to support tools, including the SDG 14.4.1 VRE.

The responses from 112 countries or territories reporting across the two first reporting rounds (2019 and 2022) showed a significant increase in reporting, i.e. 99 countries or territories reported in 2022 which is an increase of 87 in 2019. In the 2022 reporting (reference year 2021), considering that there were only 46 validated national questionnaires, indicates an average indicator value of 65.5 percent of global stocks being sustainably fished. This value, slightly higher than the world average, is however within the range of uncertainty using the binomial approximation. Some preliminary trend indications can emerge from the 69 countries or territories that reported twice, of which 22 countries had validated questionnaires in both rounds: in the 2022 reporting, 11 validated questionnaires showed an improvement to the indicator, one reported no change, and 10 reported a decline, with an overall increase in the average indicator score from the 2019 reporting. The progress towards achieving SDG 14.4.1 Indicator requires considerable technical capacity from countries, and while positive trends in the indicator at the country level are encouraging, these will stabilize and will be converged with the global/regional indicator with more

[42] FAO. 2024. *The State of World Fisheries and Aquaculture 2024. Blue Transformation in action*. Rome. https://doi.org/10.4060/cd0683en.

frequent reporting, stabilized national reference lists of stocks, and improved understanding by countries of the requirements of the indicator.

Absent confidence in the country specific reporting, the regional and global indicator from State of Marine Resources reported in SOFIA, FAO's flagship publication, will continue to be used. According to SOFIA 2024, the sustainability of global fishery resources continues to decline from 90 percent in 1974 to 62.3 percent in 2021 and global marine fish landings have remained relatively stable in 2021 averaging 80 million tonnes since 1995. Fish stocks within biologically sustainable levels contributed 76.9 percent of the global marine fish landings in 2021, a finding based on the FAO set of stocks accounting for 72 percent of global landings for 2021. The decreasing trend by 2.3 percent since 2019 continues the declining trend since 1974 (Fig.1), however, the global trend is not universal and FAO regions vary from 33 percent to 84 percent.

Among the 15 FAO Major Fishing Areas reviewed, the Southeast Pacific (area 87) had the highest percentage (66.7 percent) of stocks fished at unsustainable levels (33.3 percent sustainably fished), followed by the Mediterranean and Black Sea (area 37) at 62.5 percent fished at unsustainable levels (37.5 percent fished sustainably), the Northwest Pacific (area 61) at 56 percent unsustainably fished (44 percent sustainably fished) and the Eastern Central Atlantic (area 34) at 51.3 percent fished at unsustainable levels (48.7 percent sustainably fished). In contrast, the Northeast Pacific (area 67), Eastern Central Pacific (area 77), and Southwest Pacific (area 81) had the lowest proportion (16–24 percent) of stocks fished at biologically unsustainable levels (or between 76–84 percent sustainably fished). Other areas varied between 34 percent and 42 percent of unsustainable levels in 2021 (or between 58–66 percent sustainably fished).

FAO is currently developing a new methodology to assess the “State of Stocks (SOS)” in marine fisheries that feeds into FAO’s biannual flagship publication SOFIA. This methodology aims at transparency and collaboration with countries to develop an updated list of stocks that are representative of the current fisheries sector, which is now appreciably different compared to the 1970s when the first SOFIA list was developed. First, the dominant stocks and modes of exploitation have changed. Second, the tools and requirements for calculating and presenting global sustainability information are constantly evolving, including the need for increasing transparency and the use of local knowledge. Finally, the emergence of the national-level SDG Indicator 14.4.1, which is based exclusively on the stock status reported by countries using a multiplicity of methods to classify the stock status, including model-based estimates, empirical indicators and documented expert opinion, have generated parallel monitoring processes that are worth connecting. Thus, FAO considers that the time is right to conduct a methodological update to compute and report on the state of world fish stocks that is better aligned with national SDG reporting initiatives, and includes broader national and regional participation and transparency, while maintaining the crucial integrity of the time series. However, this process will take time as capacity needs of different regions vary and this alignment will need to follow an adaptive and flexible pathway over the next few years.

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 CCRF and related instruments. The first SDG Indicator 14.6.1 score collection

exercise was carried out in 2018 followed by the second, third and fourth exercise in 2020, 2022 and 2024 respectively. The indicator measures the degree of implementation by States of six international instruments[43] to combat IUU fishing by scoring their responses to the questionnaire for monitoring the implementation of the CCRF and related instruments using a scale of 1 (lowest) to 5 (highest).

The average score for implementation of the six instruments by States increased from 3 in 2018 to 4 in 2022, then remained at 4 in the 2024 reporting, with the percentage of States achieving a 5 increasing from 48 percent in 2018 to 56 percent in 2022 and 2024. Reporting rates for this indicator increased in 2024 in comparison to 2022, going from 90 to 101 applicable reporting States, hence aggregate figures are expected to be more representative globally and for certain regions. In terms of regional groupings, from 2022 to 2024, all regions either remained the same or improved on average, with Central and Southern Asia and Sub-Saharan Africa going from a 3 to a 4. The average score for this indicator within the least developed countries grouping also increased from a 3 in 2022 to a 4 in 2024. The status of the indicator reflects that while improvements are being made, further efforts are still needed to implement these international instruments and hence maximize their potential to effectively combat IUU fishing.

As part of the FAO Programme to implement the PSMA, a number of activities have been carried out to enhance the degree of countries' implementation of international instruments aiming at combating IUU fishing. These activities include developing and maintaining the following global information-sharing systems, which require the harmonization and standardization of data formats, procedures and mechanisms for data exchange:

- The FAO Global Record aims at increasing transparency and traceability by gathering and disseminating certified and comprehensive information, provided by official sources, on vessels and vessel activities. It is ideally suited to become the backbone of international fisheries management to which all other information will have to be invariably connected, supporting the implementation of the GIES, other complementary instruments and tools. As of 06 June 2024, the FAO Global Record contains 12,620 vessel records of all sizes and types, provided by 69 FAO Member States from all regions. The most represented regions are Europe, Asia and North America, followed by Latin America and the Caribbean, Africa, and the Pacific. To render the FAO Global Record more operational and boost participation, a new version of the Global Record Information System was developed and released in August of 2022, to which FAO is continually working on improving following guidance from FAO Member States as received through the Global Record Working Group;[44]
- The PSMA GIES became operational in December 2023 and is actively being used by Parties to exchange compliance information on relevant vessels. Prior to this, the system was piloted by the Parties starting from December 2021. The GIES is currently mainly used by Parties to exchange inspection reports and denials of entry or use of ports through the compilation of an online form. The compilation of such forms is facilitated through the connection to the Global Record, with auto-compilation vessel data when available. The system then uses national contact point information provided by States through the PSMA application, to send automatic notifications of reports being submitted onto the system. The Secretariat is actively working to improve and expand the features contained within the GIES, following guidance received from Parties,

[43] https://unstats.un.org/sdgs/metadata/files/Metadata-14-06-01.pdf.
[44] https://www.fao.org/global-record/meetings/en/.

especially technical feedback provided through the PSMA Technical Working Group on Information Exchange, of which the 4th meeting took place from 18 to 22 March 2024, Panama City, Panama;[45]

- The in-country work under the PSMA Global Programme continues expanding and making significant progress. New countries supported under the Programme since August 2023 include Comoros, Community of Portuguese Language Countries (CPLP countries), and South Africa. Technical assistance including gap analysis, legal review, MCS review, and the development of Standard Operation Procedures (SOPs) has been provided to these countries.

As regards transshipment in fishing related operations, at the COFI's Thirty-fifth Session (COFI35) in Rome from 5 to 9 September 2022, the Voluntary Guidelines for Transshipment was endorsed as a new instrument within the framework of the FAO CCRF. COFI called for the implementation of the Voluntary Guidelines for Transshipment, including through RFMOs. FAO is mandated to promote the implementation of the Voluntary Guidelines for Transshipment to contribute to sustainable fisheries through the appropriate level of regulation, monitoring and control of transshipment activities. Such guidelines aim to complement the PSMA to prevent IUU-caught fish from entering the seafood supply chain. FAO has organized a series of regional workshops throughout 2023 to support the promotion of Voluntary Guidelines for Transshipment and provided guidance for FAO members and public and private institutions to adequately address concerns over transshipment.

Estimating the magnitude and impact of 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. Four volumes have been developed, namely: Guiding Principles and Approaches (Vol. 1), A Practical Guide for Undertaking IUU Fishing Estimation Studies (Vol. 2), A Catalogue of Examples for Estimating IUU Fishing (Vol. 3) and Developing and Using Indicators to Evaluate and Track Performance in Combatting IUU Fishing (Vol. 4). A fifth volume on planning will 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.

The JWG-IUU 5 discussed the following key issues: (1) status and developments in international processes to combat illegal, unreported, and unregulated fishing; (2) safety and working conditions in the fisheries sector and protection of the marine environment; (3) operational tools to combat IUU fishing and related matters; (4) Interagency cooperation to promote and implement internationally-agreed measures to combat IUU fishing and related matters.

The JWG-IUU 5 reached a consensus on 52 substantial recommendations underpinning these four overarching subject matters. A notable feature of the JWG-IUU 5, distinguishing it from previous recommendations of the JWG-IUU, is the emphasis on treaty ratification and implementation beyond instruments developed under the auspices of the three Organizations. In anticipation of the WTO Agreement on Fisheries Subsidies coming into force and its role in strengthening efforts against IUU fishing, the JWG-IUU 5 underscores the collaborative efforts of the three UN agencies in jointly

[45] https://www.fao.org/port-state-measures/meetings/technical-working-group/en/.

contributing to the capacity development of States for its effective implementation. This forward-looking and proactive approach reflects the evolving dynamics of the JWG-IUU in the ongoing fight against IUU fishing and the promotion of sustainable fisheries.

SDG Indicator 14.b.1 – Degree of application of legal/regulatory/institutional framework which recognizes and protects access rights for small-scale fisheries

As part of the SSF Umbrella Programme, FAO has been working to support the implementation of the SSF Guidelines and related instruments that recognize and protect access rights for small-scale fisheries which supports and contributes to fulfilling SDG 14b and its associated Indicator 14.b.1.

To further support achieving SDG 14.b, FAO has released guidance in the form of 'Small-scale fisheries governance - A handbook in support of the implementation of the SSF Guidelines'[46], to support creating an enabling environment that promotes good governance for SSF. A related e-learning course[47] is also available. Both have been prepared with the International Ocean Institute and are grounded in related trainings delivered virtually and in person in the past, are also available.

OPERATIVE PARAGRAPHS 200 to 215 – *Climate change and aquatic food systems*

The impact of climate change on aquatic ecosystems and the services they provide, as well as the livelihoods that depend on them, is today profound and pervasive and is expected to exacerbate in the future.[48] Climate-driven shifts in the geographical distribution and changes in the productivity of fish stocks challenge fisheries worldwide. Failing to adapt current fisheries management frameworks will lead to social risks and vulnerabilities in terms of loss of livelihood and food and nutrition insecurity, thus threatening the achievement of SDGs that address poverty, hunger, and life below water, among others.

To address climate change in agrifood systems, including aquatic food systems, an FAO Strategy on Climate Change 2022-2031 was endorsed by the FAO Council in 2022.[49] In support of the implementation of the FAO Strategy on Climate Change and its Action Plan,[50] The COFI35 recommended the development of a set of FAO actions focused on climate-resilient fisheries and aquaculture.[51] Furthermore, COFI35 highlighted the need for guidance on climate-resilient fisheries management, including by convening a workshop with RFMO/As.[52] FAO has initiated a range of activities in response to COFI requests; they are summarized in the following paragraphs into broad categories of adaptation, mitigation, finance, and regional and global processes in support of implementation.

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46 https://doi.org/10.4060/cc9784en.

47 https://elearning.fao.org/course/view.php?id=907.

48 IPCC. 2019. IPCC Special Report on the Ocean and Cryosphere in a Changing Climate. https://www.ipcc.ch/site/assets/uploads/sites/3/2022/03/SROCC_FullReport_FINAL.pdf.

49 FAO. 2022. FAO Strategy on Climate Change 2022–2031. Rome. https://www.fao.org/3/cc2274en/cc2274en.pdf

50 FAO. 2023. FAO Action Plan 2022–2025 for the implementation of the FAO Strategy on Climate Change. Rome. https://doi.org/10.4060/cc7014en.

51 FAO. 2023. Report of the Thirty-fifth Session of the Committee on Fisheries, Rome, 5–9 September 2022. FAO Fisheries and Aquaculture Report, No. 1391. Rome. Paragraph 16(d). https://doi.org/10.4060/cc3652en

52 Ibid, paragraph 16(h).

Adaptation policy frameworks for resilient fisheries exist, including the FAO Adaptation Toolbox for fisheries and aquaculture,[53] as well as guidance on good practice criteria and a compilation of good practices to climate proof the fisheries management cycle.[54] An effective fisheries management system is often the best adaptation and the first foundation of climate-resilient fisheries. FAO has been actively promoting the adoption of participatory, adaptive, and precautionary fisheries management systems across the world through dedicated capacity development programs.[55] Another crucial aspect is the integration of fisheries into local and national climate change adaptation planning and implementation, which can be accomplished through mechanisms such as the Nationally Determined Contributions (NDCs) and National Adaptation Plans (NAPs). According to FAO's analysis, 98 of the 167 (59 percent) active NDCs submitted by countries as of 31 December 2023 referred to adaptation in fisheries and aquaculture, including ocean and coastal zone conservation, management or restoration.[56] To support these efforts, FAO has developed NAP-Fish guidelines to provide practical steps and entry points for integrating fisheries and aquaculture into the formulation and implementation of NAPs.[57]

To support evidence-based adaptation, FAO has also conducted a comprehensive review on disaggregated impacts of climate change on fisheries and aquaculture, based on model projections, data analyses, and expert assessments.[58] There is also an upcoming report on projections of exploitable fish biomass under different climate change and socioeconomic scenarios. Furthermore, enhancing the adaptive capacity and resilience of fishers and fisheries can be achieved through the development of climate-proofed fisheries infrastructure, such as ports, jetties, slipways, fish buying stations and fish markets. Various international development banks and FAO are supporting their members with the design and construction of climate-proofed fisheries infrastructure and to build-back-better after natural disasters. In addition, linking early warning systems with shock-responsive social protection programs not

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[53] Poulain, F., Himes-Cornell, A., and Shelton, C. 2018. Chapter 25 – Methods and tools for climate change adaptation in fisheries and aquaculture. In: Barange, M., Bahri, T., Beveridge, M.C.M., Cochrane, K.L., Funge-Smith, S. & Poulain, F. eds. 2018. Impacts of climate change on fisheries and aquaculture: synthesis of current knowledge, adaptation and mitigation options. FAO Fisheries and Aquaculture Technical Paper No. 627. Rome, FAO. 628 pp. https://www.fao.org/3/i9705en/i9705en.pdf.

[54] Bahri, T., Vasconcellos, M., Welch, D.J., Johnson, J., Perry, R.I., Ma, X. & Sharma, R., eds. 2021. Adaptive management of fisheries in response to climate change. FAO Fisheries and Aquaculture Technical Paper No. 667. Rome, FAO. https://doi.org/10.4060/cb3095en.

[55] Examples include the EAF-Nansen programme (https://www.fao.org/in-action/eaf-nansen/en/), the CLME+ project, relevant Mediterranean projects, and activities in the Philippines under the Norad project. For more information on these projects, see: https://www.fao.org/fi/static-media/MeetingDocuments/WECAFC/NBSLME2018/prospectus.pdf; https://www.fao.org/3/cb6509en/cb6509en.pdf; Labaria, E.C., Fernandez de la Reguera, D., Poulain, F., Siar, S. and Vasconcellos, M. 2021. The risks and vulnerability of the sardine fisheries sector in the Republic of the Philippines to climate and other non-climate processes. Rome. https://doi.org/10.4060/cb7506en.

[56] Crumpler, K., Abi Khalil, R., Tanganelli, E., Rai, N., Roffredi, L., Meybeck, A., Umulisa, V., Wolf, J. And Bernoux, M. 2021. 2021 (Interim) Global update report – Agriculture, Forestry and Fisheries in the Nationally Determined Contributions. Environment and Natural Resources Management Working Paper No. 91. Rome, FAO. https://doi.org/10.4060/cb7442en.

[57] Brugere, C. and De Young, C. 2020. Addressing fisheries and aquaculture in National Adaptation Plans. Supplement to the UNFCCC NAP Technical Guidelines. Rome, FAO. https://doi.org/10.4060/ca2215en.

[58] Barange, M., Bahri, T., Beveridge, M.C.M., Cochrane, K.L., Funge-Smith, S. & Poulain, F. eds. (2018) Impacts of climate change on fisheries and aquaculture: synthesis of current knowledge, adaptation and mitigation options. FAO Fisheries and Aquaculture Technical Paper No. 627. Rome, FAO. 628 pp. https://www.fao.org/3/i9705en/i9705en.pdf.

only increases the access of fishers to assistance, insurance, and financial services but also plays a key role in ensuring a climate-resilient development. To disseminate fishing safety innovations in support of sectoral adaptation to climate change, FAO, together with partners, organized IFISH 6 from 8 to 12 January 2024 in Rome, Italy.[59]

Notably, climate change is exacerbating disaster risks to fisheries. Adaptation to these risks requires: the incorporation of Disaster Risk Reduction (DRR) into fisheries legislation; the alignment of the national legislation, policies and practices with global frameworks for DRR and sustainable development; and the development of appropriate institutional arrangements. The institutional structure should strengthen the horizontal and vertical integration of DRR between different levels of government, between various line agencies, and between other stakeholders (fishing communities, private sector, academia, etc.). This may require building the capacities of the local government units to develop, implement and monitor DRR, as done by FAO in the Philippines. DRR also includes developing risk assessment, developing Preparedness, Response and Recovery Plans, carrying out trainings (e.g. simulation exercises) and awareness activities. Mainstreaming DRR could bring about several positive results: improved safety of fishers and fishing communities, reduced impacts on critical fisheries infrastructure, more efficient and capable institutions with strengthened capacity to manage disasters and more efficient response and rehabilitation of the fisheries and aquaculture sector after a disaster.

As to mitigation, despite being a minor contributor to global carbon emissions, fisheries can adopt decarbonization measures along the value chain to contribute to the 1.5 degrees climate goal. These include the use of renewable energy, enhancing vessels energy efficiency through practices such as reducing trawling speed, fishing gear and hull modifications, timely cleaning of the hull bottom from fouling and timely servicing the engine. FAO, in close collaboration with BOBP-IGO, has been promoting in 2022-2023 simple fuel-saving measures in Sri Lanka and India using a technical manual.[60] Several hybrid solutions are also being tested, such as vessels equipped with battery packs and a diesel engine that power the vessel together for a full day of operation.[61] Furthermore, post-harvest activities can optimize their operations by using renewable energy and climate-smart technologies, like solar dryers or biodigesters. These practices are supported by field projects targeting women and fostering access to more efficient ovens for fish smoking.[62] A recent FAO publication has identified opportunities for renewable energy interventions along the small-scale fish value chains and discussed challenges associated with cost and financing, policy environment and local capacity, and awareness.[63] There are also opportunities for fisheries to contribute to carbon sequestration and blue carbon ecosystems through holistic fisheries management with measures such as mangrove preservation and restoration. With support from the Norad, FAO supported the development of a climate-smart Small Pelagic Fisheries Management Plan in the Philippines, which includes coastal and marine ecosystems restoration.

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[59] https://ifishconference.ca/ .

[60] FAO, 2023. Fuel savings for small fishing vessels: a manual. Available in 6 languages here: https://www.fao.org/documents/card/en?details=98995c6b-bd40-56c7-bcf5-768c1d8eccc1.

[61] Thermes, S., Van Anrooy, R., Gudmundsson, A., and Davy, D. 2023. Classification and definition of fishing vessel types – 2023 edition. FAO Fisheries and Aquaculture Technical Paper No. 670. Rome (https://doi.org/10.4060/cc7468en).

[62] https://www.fao.org/voluntary-guidelines-small-scale-fisheries/resources/detail/en/c/1607567/ .

[63] Puri, M., Kojakovic, A., Rincon, L., Gallego, J., Vaskalis, I. & Maltsoglou, I. 2023. The small-scale fisheries and energy nexus – Opportunities for renewable energy interventions. Rome, FAO. https://doi.org/10.4060/cc4903en.

Climate finance is indispensable for the implementation of adaptation and mitigation solutions. With financial support from the Green Climate Fund (GCF), GEF and bilateral funds, FAO is currently implementing a field programme on adaptation that puts climate solutions for aquatic food into practice in Africa, Latin America, the Caribbean, Southeast Asia, and Pacific SIDS. An increasing number of FAO-led GCF projects are aiming at supporting the increased resilience of ocean and riparian livelihoods and ecosystems, both through readiness and preparatory support (ongoing projects in Belize, Cabo Verde, Saint Lucia, and Sri Lanka) and larger support (one ongoing project in The Gambia, and projects in Cabo Verde, Saint Lucia, and Sri Lanka currently being designed). GEF-funded projects are underway in Bangladesh, Cambodia, Kiribati, Malawi, Myanmar, and Timor-Leste. Work is also ongoing with projects implemented by FAO with bilateral funds from Canada, Norway, and the EU, supporting countries to build the resilience of aquatic food systems to climate change and natural disasters to attain sustainability. However, a sectoral review of NDCs and NAPs conducted by FAO has indicated that the costs of adaptation for fisheries and aquaculture for all developing countries could be USD 4.8 billion per year by 2030. The public international adaptation finance flows to the aquatic food sector have averaged only USD 0.22 billion per year (2017–2021), underscoring a significant adaptation finance gap. To improve access to climate finance, FAO is committed to continue supporting resource mobilization efforts and providing capacity building to support Members in accessing climate finance.

At the regional level, RFMOs and RFABs, collectively referred to as RFBs, are increasingly aware of the climate challenges. However, many organizations have difficulty in engaging in the topic of climate change despite the existence of good science. In this context, in line with the COFI35 request, FAO is supporting RFBs in climate-resilient fisheries management, including the convening of two regional FAO workshops. A global review of RFB responses to climate change is also under development. Additionally, cooperation is essential for adapting fisheries to climate change and is at the heart of the UN Fish Stocks Agreement. FAO is actively fostering regional cooperation and coordination among RFBs, including through the Regional Fishery Body Secretariats' Network (RSN).

At the global level, the nexus between climate change, aquatic ecosystems, and aquatic food production is receiving increasing attention. The 2023 UNFCCC annual Ocean and Climate Change Dialogue selected "fisheries and food security" as one of the two topics for deep-dive discussions. The Dialogue emphasized the need to integrate aquatic food climate solutions into both national and multilateral climate policies and actions.[64] The Dialogue outcomes were subsequently welcomed in the COP28 decision on the Global Stock-take (Decision -/CMA.5).[65] Moreover, the COP28 UAE presidency launched a political Declaration on Sustainable Agriculture, Resilient Food Systems, and Climate Action that refers explicitly to sustainable aquatic food and has so far received endorsements from 159 countries.[66] FAO is committed to strengthening linkages with countries, other UN organizations and non-State actors, to foster inclusion of aquatic food climate solutions within UNFCCC. As part of this effort, FAO is developing a guide to empower aquatic food stakeholders with insights into climate negotiations and identify practical entry points.

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[64] UNFCCC. Ocean and climate change dialogue 2023. Informal summary report by the co-facilitators of the Ocean and Climate Change Dialogue 2023–2024. https://unfccc.int/sites/default/files/resource/Ocean%20dialogue_informal%20summary%20report_SB58_2023%20UNFCCC%20webpage%20publication%20%282%29.pdf.

[65] https://unfccc.int/sites/default/files/resource/cma5_auv_4_gst.pdf.

[66] https://www.cop28.com/en/food-and-agriculture.

OPERATIVE PARAGRAPHS 216 to 227 – *Marine debris*

Following the recommendations contained in the Manila Declaration, the Global Partnership on Plastic Pollution and Marine Litter (GPML)[67] was launched in June 2012 at Rio+20 in Brazil and seeks to protect human health and the global environment by the reduction and management of marine litter. The GPML is a global partnership gathering international agencies, governments, NGOs, academia, private sector, civil society and individuals. FAO has a permanent seat at the Steering Committee of the GPML through which it contributes to the development of the GPML Digital Platform, with inputs particularly around sea-based sources of marine plastic litter (SBMPL) including abandoned, lost or otherwise discarded fishing gear (ALDFG).[68] The Digital Platform is an open-source, multi-stakeholder platform that compiles different resources, connects stakeholders and integrates data to guide action. The resources have been collected through research based on publicly available information, interviews with experts, and inputs received through submissions. They cover all stages in the plastics life cycle, with respect to prevention of litter and waste, design and production, use and consumption, waste management and marine litter monitoring and capturing.

The 45th Session of the Group of Experts on the Scientific Aspects of Marine Environmental Protection (GESAMP) (17 to 20 September 2018, Rome, Italy) supported the establishment of a working group on SBMPL including fishing gear and other shipping related litter (GESAMP Working Group 43), sponsored by FAO and IMO and in partnership with UNEP. The Working Group 43 (WG43) was established in April 2019 and held its first virtual meeting to develop a work plan and timeline of deliverables as set forth in its Terms of Reference.

In 2022, at the 49th annual session of GESAMP (London, United Kingdom), new Terms of Reference in two concurrent work streams were approved:

1. Work-stream 1 will support information requests of the Scientific Groups of the London Convention/Protocol (LC/LP) Parties that will help identify priorities for addressing LC/LP waste streams, ship coatings and abandoned vessels as sources of plastic in the ocean.
    - TOR1. Review methodologies and technologies to measure and reduce the presence, type, origin and quantity of plastic litter and microplastics in LC/LP waste streams.
    - TOR 2. Further elucidate the amount and types of microplastics in anti-fouling paint and hull coatings, and the major geographic locations where these materials are applied and removed from ships.
    - TOR 3. Conduct a global review on the scrapping and abandonment of fiber-reinforced plastic/polymer vessels, including their types, numbers, and spatial and temporal distribution.
2. Work-stream 2 will support information requests of FAO to further understand ALDFG as a source of ocean plastic pollution, with a particular focus on methodologies for remediation, monitoring and reporting.
    - TOR 4. Analyse trade-offs between ecological and economic costs of ALDFG recovery and benefits derived from such recovery efforts, including drifting Fish Aggregating Devices (dFADs).

[67] https://www.gpmarinelitter.org/.
[68] https://digital.gpmarinelitter.org/.

- TOR 5. Identify elements that should be included in a monitoring programme for ALDFG, including an update on the availability of remote, or vessel based, sensing technologies/tools for monitoring ALDFG.
- TOR 6. Identify and analyze potential causal links between IUU fishing and ALDFG.

WG 43 held its first meeting (virtual) on 28 February 2023, and convened its first in-person workshop, sponsored by IMO and hosted by UNEP in Geneva, Switzerland, from 15 to 17 May 2023. Workstream 2 members have made good progress in assembling data and information to address TORs 4-6, and convened an in-person working meeting concurrent with the World Fisheries Congress in Seattle, Washington, USA, from 8 to 9 March 2024. The working group will complete a first draft of its next report by July 2024 and intends to submit a final report to GESAMP in December 2024.

At the 78th session of the Marine Environment Protection Committee (MEPC78) of IMO held from 6 to 10 June 2022, the Committee agreed to develop a goal-based requirement under MARPOL Annex V for the mandatory marking of fishing gear. The Sub-Committee on Prevention of Pollution (PPR) has been instructed to develop the draft amendments and associated guidelines accordingly. However, PPR has not yet initiated work in this area owing to an absence of proposals being submitted for amending MARPOL. The earliest estimated timeline for gear marking coming into force would be April 2028. This estimate assumes a proposal is submitted to PPR 12 (2025), finalized at PPR 13 (2026), adopted at MEPC in the same year, and then allowing for the required 16 months from date of adoption before coming into force.

Work on the reporting of lost or discharged fishing under MARPOL Annex V, was progressed at PPR11 held in February 2024, and will continue within the intersessional period by correspondence. Recommendations will inform ongoing discussions on this topic at PPR12 to be held in early 2025. In order to guide this work, at PPR11 FAO submitted and presented Paper PPR 11/13/2 “Global overview of lost fishing gear reporting obligations implemented under regional fisheries management organizations and FAO progress in the implementation of the VGMFG to reduce ALDFG and its impacts”. The aim of this paper was to promote the role of RFMOs, specifically with regards to existing RFMO reporting obligations for lost fishing gear. FAO is committed to continue a close collaboration with IMO to provide technical assistance when required for the development of any requirements that are related to fishing gear under IMO MEPC and PPR, including through a correspondence group on marine litter set up to progress work intersessionally.

The EAF-Nansen Programme has a comprehensive Science Programme comprising 11 themes. Theme-6 covers the occurrence and impacts of marine litter and microplastics on marine ecosystems, and theme-8 includes the potential impact of microplastics on seafood safety. The distribution of seafloor marine litter (as recovered in demersal trawls), floating microplastics and microplastics in fish has been studied off the West and East coasts of Africa and in the Bay of Bengal. These studies reveal the levels of marine litter on the seabed, verifying the higher impact expected in coastal areas, and also include the determination of the polymer composition using advanced analytical techniques at the Marine Research Institute (Norway). From the analysis conducted so far, there is no evidence that microplastics pose a threat to seafood safety. A paper on the spatial distribution of microplastics in surface waters in the Bay of Bengal that shows and discusses levels and differences in microplastic particles in surface waters offshore Sri Lanka, Myanmar and Thailand, is expected to be published in 2024. A similar paper is in the pipeline for the coast of Africa.

It is certain that marine litter has a significant social and economic impact on a number of fisheries, being most clearly demonstrated by the artisanal beach seine fishery in the Gulf of Guinea. In 2021, the EAF-Nansen Programme initiated a study to identify and quantify marine litter associated with the beach seine fisheries in Benin, Côte d'Ivoire, Ghana, and Togo, and assess the economic, social and ecological impacts. This included surveying litter on the beaches where beach seine fisheries were carried out, examining and recording the contents of the seine nets and interviewing representatives of the fishing community to assess the impact. The findings are aimed to inform the identification of potential measures in the context of the revisions of the beach seine fisheries management plans to reduce the impact of the litter on the fishing communities, working with local and regional partners to implement these. The report of the study "The impact of marine litter on the beach seine fishery of four countries in the Gulf of Guinea: Benin, Côte d'Ivoire, Ghana and Togo. A preliminary investigation of the social and economic impacts of marine litter on fishing communities" is under finalization.

One aspect of these studies is to identify and quantify the proportion of litter generated by the fishing sector, particularly in regions that are generally data-poor, thus contributing to wider aspects of FAO's interests in and its commitment to reducing ALDFG. A specific guidance document on the sampling and identification of marine litter in trawl surveys and in shoreline litter surveys ("Guidance for the sampling, identification and recording of marine litter") has been prepared and will be published in 2024. A brochure summarising the work of the EAF-Nansen Programme related to marine litter "Marine litter - Assessing the distribution and impact of marine litter in Africa and the Bay of Bengal has been published.[69]

FAO was invited to join the Plastic Waste Partnership (PWP) launched in November 2019 and led by the Secretariat of the Basel, Rotterdam and Stockholm Conventions. The goal of the Partnership is to foster sound management of plastic waste at the global, regional and national levels, and prevent and minimize their generation, including in the marine environment. FAO will contribute with relevant information and provision of technical advice, as well as the sharing of lessons learned from its ongoing activities within the EAF-Nansen programme (data collection and processing) and the GloLitter Partnerships project (see **operative paragraph 221 –** ***Discarded fishing gear)***.

SECTION X – MARINE BIODIVERSITY

OPERATIVE PARAGRAPHS 257 TO 287 – *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 total surface area of the oceans and around half of the planet's surface area. UN Member States by UNGA resolution 69/292 of 19 June 2015,[70] decided to develop an international legally binding instrument (ILBI) under UNCLOS for the conservation and sustainable use of biodiversity beyond national jurisdiction (BBNJ) and to that end,

[69] Available at https://openknowledge.fao.org/items/89accb77-3fec-48c7-b9e7-13d22056e5ed.

[70] https://documents-dds-ny.un.org/doc/UNDOC/GEN/N15/187/55/PDF/N1518755.pdf?OpenElement

established a preparatory committee. In its Resolution 72/249 of 24 December 2017,[71] the UNGA decided to convene an Inter-Governmental Conference (IGC) to consider the recommendations of the Preparatory Committee on the elements and to elaborate the text of an international legally binding instrument under the UNCLOS on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (BBNJ Agreement), with a view to developing the instrument as soon as possible.

Given the potential implications this process might have on the fisheries sector and as requested by the FAO COFI, FAO attended and contributed to all five IGC Sessions by providing fisheries and other pertinent technical information on issues related to FAO's mandate. FAO organized or directly contributed to eleven events held in the IGC context. FAO facilitated information exchange with RFMO secretariats attending IGC to discuss elements of common concern, establishing network and coordination around fisheries-related issues in BBNJ. Moreover, FAO facilitated the contacts and exchange of views among member delegations concerning provisions of the draft text. As part of these efforts, FAO published in early 2023 an information document.[72] The document presents information on the work of FAO relevant to the BBNJ process, including ongoing initiatives and processes and lessons learned. The document also indicates areas where FAO may provide assistance to Member Nations on the implementation of the BBNJ Agreement.

FAO welcomes the adoption of the Agreement, a long-waited milestone in the governance of oceans, conservation and sustainable use of marine biological diversity. The sustainable utilization of fisheries resources in areas beyond national jurisdiction cannot be achieved without marine biological diversity conservation.

Cooperative partnerships that build on synergies are a central tenet for all fishery management and environmental conservation regimes, as there is an evident nexus between fisheries management and environmental protection. The BBNJ Agreement promotes and ensures coherence and coordination with relevant legal instruments and frameworks and relevant sectoral bodies and should serve as an opportunity to build on existing policy instruments, processes and works of sectoral bodies and improve the coordination and cooperation efforts among them without undermining their mandates.

FAO is well-placed to help Members implement the BBNJ Agreement. With its wealth of experience and expertise in ocean governance at the global and regional level, FAO is fully equipped to support Member Nations directly on their ratification and implementation of the BBNJ Agreement and through its existing network of RFBs involved in the management of marine areas beyond national jurisdiction, the GEF funded Common Oceans Program, and the FAO-supported RSN.

Through its COFI and its sub-committees, FAO provides a regular and ongoing global forum for Member Nations to engage in discussions on crucial fishery matters, including those pertaining to the high seas. FAO, within its mandate and as guided by the FAO COFI and other FAO governing bodies, stands ready to assist and work with Member Nations to provide technical advice and support in the implementation of the BBNJ Agreement.

[71] http://undocs.org/en/a/res/72/249.

[72] FAO. 2023. *FAO and the marine biological diversity beyond national jurisdiction (BBNJ) process. Information package for BBNJ delegates*. Rome. https://www.fao.org/3/cc1345en/cc1345en.pdf.

OPERATIVE PARAGRAPHS 266 TO 284 – *Other Effective Area-Based Conservation Measures and vulnerable marine ecosystems*

The Convention on Biological Diversity's (CBD) Aichi Biodiversity Target 11 called for conserving "at least 10 percent of coastal and marine areas, especially areas of particular importance for biodiversity and ecosystem services, through effectively and equitably managed, ecologically representative and well-connected systems of protected areas and other effective area-based conservation measures" by 2020. By this call, Target 11 places an important focus on the potential of using area-based management to achieve dual objectives of conserving biodiversity and providing benefits to people. Interest in area-based management tools, particularly marine protected areas (MPAs) and "other-effective area-based conservation measures" (OECMs), is on the rise internationally, with the Parties to the CBD having adopted the Kunming-Montreal Global Biodiversity Framework, which includes a Target 3 to ensure and enable 30% of terrestrial, inland water, and of coastal and marine areas to be effectively conserved and managed by 2030 through the use of ecologically representative, well-connected and equitably governed systems of protected areas and OECMs.

In February 2021, the Thirty-fourth Session of the FAO COFI (COFI34) noted the importance of considering multiple effective time and area-based management tools (ABMTs), such as protected areas and OECMs for the conservation and sustainable use of biodiversity. COFI34 also noted the relevance of OECMs to achieving a number of the SDGs and global biodiversity targets and requested that FAO produce and disseminate practical guidelines to support Members in their identification and implementation (para. 17d and 17e of the COFI34 report).

As requested by COFI34, FAO published "A handbook for identifying, evaluating and reporting other effective area-based conservations measures in marine fisheries".[73] The handbook poses questions that agencies and entities assessing potential OECM should consider, with case studies that illustrate the different approaches that can be taken for assessing whether protected areas lead to the kind of biodiversity protection that the OECM label signifies. FAO is now in the process of developing additional guidance, including on how to apply the OECM criteria in inland fisheries and RFMOs, how communities can identify OECMs, and how to identify biodiversity outcomes stemming from area-based fisheries management.

In parallel, FAO has held several capacity-building workshops—in the Baltic, Mediterranean, Caribbean, Latin America, south and southeast Asia, southwest Indian Ocean regions as well as in Chile, regions as well as in Argentina and Jamaica—to help countries better understand the OECM identification process and consider potential Fisheries OECMs within their borders using case studies to illustrate the operationalization of the OECM criteria. In addition, FAO held a workshop with RFBs in early 2024 to bring OECMs to their attention and to discuss the applicability of OECM recognition in the deep-sea areas under their jurisdiction. These workshops had the following objectives:

- To support countries, fisheries-related agencies and stakeholders to understand, discuss and apply the CBD's criteria for identifying fisheries-related OECMs;

[73] https://openknowledge.fao.org/server/api/core/bitstreams/822cfedc-a209-4b73-ac2e-b3cb4c10f3eb/content.

- To synthesize lessons learned from countries' experience in applying the CBD criteria in support of the development of the practical guidance called for by COFI34. The workshops aim to build the capacity of States and experts in the region by:
    - increasing their understanding of OECMs and the benefits associated with identifying/creating OECMs;
    - increasing their understanding of the criteria to identify and report OECMs, and their ability to apply these criteria in the context of marine fisheries measures; and
    - applying the OECM criteria on a test basis on selected illustrative case studies in the region.

FAO will continue to help build the capacity of its members to report on how fisheries managers and the fisheries sector are contributing to current and future area-based biodiversity conservation goals. In order to assist its Members and RFBs assess and identify fisheries OECMs, FAO is undertaking the following activities:

1. Continue to host and participate in shared learning events in additional regions. The goals of these events are: a) to bring stakeholders, experts and governments together and help guide countries in the identification, establishment, monitoring, evaluation and reporting of Area Based Fisheries Management (ABFMs) that can contribute to marine biodiversity conservation; and b) to learn from countries' experience in using area-based management tools in the marine context, which will support Activity 3 below. Such workshops are envisioned to include staff from fishery-related national agencies as well as staff from RFBs. The CBD Secretariat has proposed joining FAO in planning and facilitating these events.
2. Build general awareness on the use of spatial management tools and their benefits to fisheries and biodiversity, both at global and regional levels through advisory processes and communications materials.
3. Continue to solicit input and finalize practical guidance for the establishment and management of OECMs in fisheries. Activity 1 will inform the preparation and review of this guidance, allowing for both global and regionally specific guidance to be developed. Guidance currently under development focuses on 1) the role that area-based management in inland waters could contribute to Target 3 of the Global Biodiversity Framework (GBF); and 2) how to identify biodiversity outcomes of area-based fisheries management.
4. Provide on the ground assistance to states at regional/national level to share experience on the implementation of ABFM that delivers biodiversity co-benefits with the aim of increasing OECM coverage.
5. Support FAO Member Nations in applying the guidance to ABFM in their national waters with the intent of assisting countries meet global area-based management targets while increasing food security and nutrition.
6. Assist FAO Member Nations in developing social, economic and environmental indicators that can be used to monitor MPA and other ABFM (including OECMs) performance so that they effectively contribute to fishery and biodiversity conservation, food security and meeting the SDGs.

OPERATIVE PARAGRAPHS 270 to 272 – *Deep-sea fisheries*

FAO is committed to supporting responsible fisheries, including in the ABNJ and in accordance with international law, through the implementation of the FAO CCRF and its associated international plans of

action and guidelines. The most relevant to deep-sea fisheries (DSF) is FAO's International Guidelines for the Management of Deep-sea Fisheries in the High Seas ("the DSF Guidelines") (adopted in 2008). These support States and RFMOs to implement paragraphs 76-95 of UNGA Resolution 61/105 (adopted in 2006).

FAO contributes to the sustainable management of deep-sea fisheries and biodiversity through its GEF funded Common Oceans, and Norad funded EAF-Nansen Programmes.

The second phase of the Common Oceans Programme was launched in 2022, and through its "Deep-sea Fisheries under the Ecosystem Approach" project, it is working towards DSF in the ABNJ being managed under an ecosystem approach that maintains demersal fish stocks at levels capable of maximizing their sustainable yields and minimizing impacts on biodiversity, with a focus on data-limited stocks, deepwater sharks and vulnerable marine ecosystem.

In the first year of implementation of the project, relevant activities and successes have included:

(i) A review of the implementation of the DSF Guidelines 15 years after its adoption,[74] which highlighted that much of the action by States and RFMOs has focused on the protection of vulnerable marine ecosystems (VMEs) from significant adverse impacts from bottom fishing, achieved particularly through area closures, but also establishing bottom fishing footprints, exploratory fishing protocols outside of the footprint, and VME encounter protocols, which have collectively, drastically strengthened the management of bottom fishing in the ABNJ. Much less attention has been paid, however, to the implementation of the measures in the DSF Guidelines related to the long-term sustainable management of DSF stocks.

(ii) The development of an e-learning course on the management of deep-sea fisheries in the ABNJ, offered as a free, online resource globally[75,] and covering both the policy and legal, as well as the operational aspects of management, and outlining the roles and responsibilities of States at both national and regional levels.

(iii) A webinar attended by over 250 people from 69 countries globally, to promote the review of the implementation of the DSF Guidelines and the e-learning course (i.e. (i) and (ii) above).

(iv) Engagement with DSF industry operators, through a workshop, and wider stakeholders through an online technical discussion forum, to explore innovative solutions for improving reporting on non-target catch and reducing impacts on biodiversity (including VMEs).

(v) Ongoing update of the FAO VME DataBase[76] which contains all VME related management measures adopted by RFMOs from 2006. This is the only global source that shows the management of bottom fisheries in a map and shows that most of the oceans are actively and adaptively managed.

While no specific research survey was conducted by FAO through the EAF-Nansen Programme in the reporting period, collaboration with CECAF and SEAFO continued to report on the findings to the partners and to develop scientific manuscripts under the Programme's science plan on the surveys conducted in the ABNJ of the Atlantic Ocean in 2022, and earlier. These surveys have the aim of improving knowledge

[74] https://openknowledge.fao.org/server/api/core/bitstreams/0161cdcf-8772-4f05-bf1d-e2e3f63c09cb/content.

[75] https://elearning.fao.org/course/view.php?id=1117.

[76] Vulnerable Marine Ecosystems Database (fao.org).

on deep-sea ecosystems and to provide scientific inputs into the discussions on management and conservation measures related to VMEs and Deep-sea fisheries resources.[77]

SECTION XI – MARINE SCIENCE

OPERATIVE PARAGRAPH 290 – *Discarded fishing gear*

There are five FAO fisheries management instruments, which address the issue of ALDFG:

- CCRF, which makes reference to the fact that fishing gear should be marked;
- PSMA, which can be linked to intentional discarding of gear at sea;
- International Guidelines on Bycatch Management and Reduction of Discards (2011), which makes reference to reducing the impact of lost fishing gear;
- VGMFG, which provides a 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; and
- Technical Guidelines for the Reduction of Marine Mammal Bycatch in Capture Fisheries makes reference to the entanglement of marine mammals in ALDFG and ghost fishing.

The Thirty-third Session of COFI (COFI33) mandated FAO to develop a comprehensive global strategy to tackle issues relating to ALDFG and to support implementation of the VGMFG involving relevant international bodies and other stakeholders. COFI34 also reiterated the necessity to continue promoting the VGMFG and its provision on capacity building at regional and national levels.[78] In response, FAO, aiming to facilitate the implementation of the VGMFG, published, in 2023, *A framework for conducting a risk assessment for a system on the marking of fishing gear;*[79] *Manual for the making of fishing gear;*[80] and *Operationalization of the VGMFG in the Indian Ocean Tuna Commission (IOTC) area of competence.*[81]

In 2020, FAO signed a UN-to-UN Agreement with IMO to assist developing countries in addressing the issue of marine plastic litter from sea-based sources: the GloLitter Partnerships project.[82] The overarching goal of the project is to assist developing countries to prevent and reduce marine plastic litter from the maritime transport and fisheries sectors. GloLitter will achieve its objectives by focusing on a number of areas identified in the IMO Action Plan to Address Marine Plastic Litter from Ships, including supporting the provisions of the FAO VGMFG. The project is funded by the Government of Norway, with contributions from Australia and Saudi Arabia and will run until 2025. The IMO is the lead implementing and reporting agency, while the FAO, as a technical agency within the United Nations framework, serves as the executing

[77] Example news: https://www.fao.org/in-action/eaf-nansen/news-events/detail-events/en/c/1476447/.

[78] http://www.fao.org/3/ne659en/ne659en.pdf.

[79] FAO. Voluntary Guidelines on the Marking of Fishing Gear –. Suppl 1. Rome, FAO. https://doi.org/10.4060/cc4084en

[80] Voluntary Guidelines on the Marking of Fishing Gear – Manual for the marking of fishing gear. Suppl. 2. Rome, FAO. https://doi.org/10.4060/cc4251en

[81] FAO. Operationalization of FAO Voluntary Guidelines for the Marking of Fishing Gear in the Indian Ocean Tuna Commission (IOTC) area of competence. FAO Fisheries and Aquaculture Circular No. 1261. Rome, FAO. https://doi.org/10.4060/cc2889en

[82] https://www.imo.org/en/OurWork/PartnershipsProjects/Pages/GloLitter-Partnerships-Project-.aspx.

partner for the fisheries sector. With the support from the project, by February 2024, ten Lead Partnering Counties had developed National Action Plans (NAPs) to address marine plastic litter from the shipping and fishing sectors. All NAPs are publicly available on the project webpage.[83]

Following successful collaboration and lessons learned from the GloLitter Partnerships project, FAO is also collaborating with IMO to address sea-based marine plastic litter through two other recent projects. The Regional Litter project (RegLitter) is a three-year initiative funded by the Republic of Korea and held its inception meeting in Viet Nam in March 2024. The RegLitter project builds and expands upon the initial SBMPL activities developed under GloLitter with an initial project focus on addressing SBMPL in Asia. FAO and IMO are also in the final stages of the project preparation grant (PPG) phase for the development of the Global Environment Facility funded Plastic Reduction in the Oceans: Sustaining and Enhancing Actions on Sea-based Sources (PRO-SEAS) project which is also a three-year initiative and is anticipated to begin in early 2025.

The report of GESAMP Working Group 43 provides an overview of the current state of knowledge in terms of the sources, relative contribution, impacts, prevention, reduction and management measures and data gaps when it comes to sea-based sources of marine litter. Based on the recommendations from the Working Group that identified global ALDFG data gaps, FAO has developed a series of standardized questionnaires and a methodology to implement a global survey on ALDFG in order to provide evidence-based global quantitative estimates of ALDFG and further inform understanding around ALDFG. Data is being collected through surveys of fishers, and/or their representatives and stored in a database for further analysis and synthesis estimates of gear loss as well as for mapping spatial and temporal distribution of gear loss. The survey data also includes causes of gear loss, good practices to avoid gear loss, end-of-life fishing gear and marine plastic waste management and fishers' views on ALDFG.

SECTION XIII – REGIONAL COOPERATION

OPERATIVE PARAGRAPHS 333 to 350 – *Global achievements are built upon regional efforts - Regional fishery bodies are key actors for regional cooperation towards sustainable development*

The 2030 Agenda for Sustainable Development emphasizes the importance of regional and sub regional dimensions, regional economic integration and interconnectivity in sustainable development. The regional level is the most appropriate level for establishing a collaborative framework to preserve and protect whole ecosystems efficiently while also providing opportunities for participating States to benefit sustainably from the services they render. Global instruments and normative processes have to be implemented and translated into actions at the country and regional levels, as appropriate. The Convention provides for and encourages regional approaches. Global discussions and regional actions are two interconnected processes that feed each other and both need to be strengthened. Consequently, the articulation between global and regional governance mechanisms is becoming increasingly important.

RFBs, which include RFMOs and RFABs, have an important role in contributing to fisheries management and scientific research of many important fisheries around the globe. RFMOs have the mandate to adopt legally binding fisheries conservation and management measures within their respective convention

[83] https://www.imo.org/en/OurWork/PartnershipsProjects/Pages/GloLitter-Partnerships-Project-.aspx.

areas. RFABs provide fora for collaboration and coordination and promote sustainable utilization of fishery resources by recommending specific actions and by providing advice to members on fisheries conservation and management. Some RFBs also have aquaculture included in their mandates.

RFMOs and RFABs continue to evolve in response to calls for sustainability, improved management and governance, and as a result of lessons learned and stronger commitment by their members. FAO supports and provides an overview of these processes and developments through the Organization's technical work on fisheries and aquaculture, providing an overview and synopsis of RFBs' developments.[84]

FAO is committed to bolstering regional cooperation through the RSN.[85] RSN provides a forum for promoting consultation and regional dialogue by addressing priority issues of common concern and facilitating the coordination, exchange of experiences and lessons learned by RFBs. RSN has maintained regular contact with its members (more than 50 RFBs and other fisheries related institutions and networks)[86] including through the production of a popular magazine[87] and making available relevant data and information related to RFBs,[88] also in international technical venues and global fora such as the UNGA.[89] The last RSN Global Meeting was organized by FAO in September 2022 and the RSN Intersessional meeting was held back to back to the workshop on OECMs in areas under the jurisdiction of RFBs (Rome, January 2024).

Sustainability can only be achieved through cooperation among all stakeholders, as recognized in SDG 17 (Revitalize the global partnership for sustainable development). The international community has increasingly recognized the importance of regional cross-sectoral collaboration and cooperation in facilitating the achievement of targets set by the 2030 Agenda for Sustainable Development that aim 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.

The FAO COFI welcomed and is supportive of the joint efforts of the CBD Secretariat, FAO and UNEP within the Sustainable Ocean Initiative (SOI) Global Dialogue with Regional Seas Organizations and RFBs to strengthen collaboration on issues of common interest, taking into account their different mandates and roles.

FAO and UNEP are supporting cooperation agreements in several areas of the world such as in the Gulf and Sea of Oman between the FAO Regional Commission on Fisheries (RECOFI) and the Regional

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[84] Terje Løbach, T., Petersson, M., Haberkon, E. and Mannini, P. 2020. *Regional fisheries management organizations and advisory bodies. Activities and developments, 2000–2017. FAO Fisheries and Aquaculture Technical Paper No. 651.* Rome, FAO. https://doi.org/10.4060/ca7843en.

[85] www.fao.org/fishery/rsn/en.

[86] http://www.fao.org/fishery/rfb/search/en.

[87] http://www.fao.org/fishery/rsn/newsletter/en.

[88] http://www.fao.org/documents/card/en/c/CA0183EN.

[89] http://www.fao.org/fishery/static/news/FAOsideEvent-ICSP-14UNHQ-2May.pdf.

Organization for the Protection of the Marine Environment (ROPME). In the Southwest Indian Ocean, the SWIOFC and the Nairobi Convention have established a cooperation agreement, and in the Western Central Atlantic, the FAO Western Central Atlantic Fishery Commission (WECAFC) strengthened its collaboration with a number of agencies among which UNEP Caribbean Environment Programme, UNESCO/IOCARIBE through the Interim Coordination Mechanism for the Sustainable Management, Use and Protection of shared Living Marine Resources in the Caribbean and North Brazil Shelf Large Marine Ecosystems, signed in 2017. Further, in the Mediterranean, the General Fisheries Commission for the Mediterranean (GFCM) continues to closely cooperate with UNEP Mediterranean Action Plan (MAP) in the context of a Memorandum of Understanding adopted to contribute to the implementation of an EAF and spatial-based management. This cooperation has resulted, among others, in the definition of common indicators for fisheries and ecosystems, increased complementarity in the use of area-based management tools and the improved monitoring of non-indigenous species.

Enhanced cooperation and coordination among RFBs have been on the international fisheries governance agenda for many years through UNGA resolutions on sustainable fisheries. Since 2022, the UNGA has been calling on States to strengthen cooperation, communication and coordination of measures among existing RFBs by holding joint consultations. Further, the UNGA also calls on States to strengthen integration, coordination and cooperation between RFBs and other relevant regional and international organizations (A/RES/77/118, paragraph 177). In 2021, the Thirty-fourth Session of COFI encouraged RFMOs to increase cooperation, called upon FAO to further increase its support to marine and inland RFMOs and RFABs, and reiterated its appreciation of the role of the RSN in supporting RFMOs and RFABs, and stressed that both should cooperate to ensure common approaches on a number of cross-cutting issues. In response, and supported by its regional and Subregional Offices, FAO convened two regional consultations to support and develop a framework for regional coordination and cooperation priorities among RFMOs and RFABs towards more sustainable fisheries governance. The consultations were organized in the Western Indian Ocean (Maputo, Mozambique, June 2022) and in the Central Eastern Atlantic Ocean (Accra, Ghana, December 2022) regions respectively and RFMOs, RFABs as well as Regional Economic Communities (RECs) were invited.[90] The overarching outcome of the consultations was a recognized need for concrete ways to improving cooperation and coordination between RFBs to share data and scientific knowledge, finding solutions to regulatory gaps for some species (both target and bycatch) and aligning procedures and standards for monitoring, control and surveillance.

The Regional Consultations focused on outlining geographical connections and overlaps, species of common interest, both target and bycatch species, and discussing aspects of conservation of biodiversity and coherency regarding conservation and management measures and advice. The consultations revealed areas of work and priorities in each region, which include the implementation of an ecosystem approach to fisheries, governance, and consistent fisheries management actions targeting specific stocks/fisheries. One example of the priorities identified includes the need to create a regulatory framework for species in ABNJ in the north-western part of the Indian Ocean (Arabian Sea) that are not regulated by any of the existing deep-sea RFMOs.

Across regions, some challenges were highlighted as a threat to sustainable fisheries and healthy oceans and that deserve responses and future efforts to address negative impacts on relevant fish stocks and

[90] FAO. 2023. *A regional framework among regional fishery bodies – Scaling up cooperation and coordination towards sustainable fisheries*. Rome. http://www.fao.org/documents/card/en/c/cc5979en.

ecosystems. For example, the implementation of conservation and management measures for the conservation and sustainable use of marine biological diversity were discussed in the overall context of EAF, and the deterioration of environmental conditions were identified as major challenges for fisheries management and a threat to food security in both regions.

The Common Oceans Program is a global partnership funded by the GEF, promoting sustainable fisheries and biodiversity conservation in ABNJ with a particular focus on tuna and deep-sea fisheries, the Sargasso Sea and cross-sectoral cooperation. Led by FAO, the Program brings together the United Nations Development Program (UNDP) and UNEP, RFMOs, intergovernmental organizations, the private sector, civil society and academia. At the centre of the Program is the promotion of regional, and inter-regional cooperation through common initiatives and knowledge sharing. The second phase of the Program began in mid-2022 and will run until mid-2027.