



Agenda item 14a – for information and discussion

AM2005/ 06

**Report from the Conference on The Governance of High
Seas Fisheries and the UN Fish Agreement**

– *Moving from Words to Action.*

May 1-5, 2005, St. John's, Canada

Note prepared by the NEAFC Secretariat

1. Introduction

The Canadian initiative can be seen as a kick-start for the upcoming review of the 1995 UN Fish Stock Agreement, UNFSA. It consisted of:

1. A Ministerial declaration agreed at the outset of the meeting establishing the problems to address.
2. Academic researched lectures on various aspects of the legal instruments and frameworks regulating Ocean Governance.
3. Workshops to make elements of the Ministerial declaration operational.

Forty-two countries, 18 represented by Ministers or other senior representatives, participated in the Conference. Ministers included those from Australia; Canada; the European Union; the United States; Chile; Iceland; Norway; the Home Government of the Faroe Islands; Côte d'Ivoire; Kenya; Morocco; Namibia; South Africa; Trinidad and Tobago; Japan; Indonesia; Tonga; and Papua New Guinea.

Representatives from six, UN-accredited international NGOs also participated in the Conference: World Wildlife Fund International; Greenpeace International; Oceana; the World Conservation Union; Natural Resources Defense Council; and Conservation International.

Academics involved in the issues at hand also participated from Memorial University in St. John's, the Dalhousie University in Halifax, and the University of Victoria in British Columbia.

No mention was made of participation by Regional Fisheries Management Organisations, but CCAMLR, ICCAT, NAFO, NEAFC and SEAFO were represented by their executive secretaries.

It was perhaps rather telling that NGOs had been asked to address the Closed Ministerial Meeting, but representatives of the RFMOs had not.

The Conference was co-chaired by Emeritus Professor Arthur May, Canada and Ambassador Hasjim Djalal, Indonesia.

The Conference was opened by several Canadian Ministers. The opening statements were largely addressed to the Canadian public and media.

2. The Ministerial declaration

The Ministerial Declaration agreed by the Ministers on the first day of the conference is appended as Appendix I.

The declaration hardly adds to the processes already taking place in UNGA, but can be seen as an initiative at the political level to focus on certain aspects of ocean

governance. This is similar to the Ministerially-led High Seas Task Force on IUU fishing established after the Deep Sea Conference in New Zealand in December 2003. The focus of the declaration is to ensure that existing legal instruments regulating the use of oceans are implemented in the High Seas through RFMOs or Regional Fisheries Arrangements, RFAs.

In the interventions during the plenary of the Conference it was evident that different states and organisations do not agree with respect to the performance of RFMOs/RFAs under their current charters and their ability to meet new challenges such as the ecosystem approach and the conservation of vulnerable habitats. Those that have rather negative assessment of RFMOs (most NGOs and some states) favour action through UNGA (banning bottom trawling in the high seas), whilst others favour a process of strengthening RFMOs to meet their expanded tasks.

NEAFC attracted a lot of attention because of its regulatory regime and advanced Scheme of Control and Enforcement together with recent decisions on closing vulnerable habitats and its fast track dispute settlement.

There was no clear or agreed conclusion from the Conference on how to proceed and in which direction, but the review of the UNFSA will pick up speed next year and there are several different processes addressing elements raised in St. John's.

3. Lectures

The following papers were presented at the Conference:

Ecosystem Considerations in Fisheries Management – Scott Parsons, Canada;

Compliance and Enforcement in Regional Fisheries Management Organizations (RFMOs) – Rosemary Rayfuse, Australia;

Decision-making Processes in RFMOs – Ted McDorman, Canada;

Fishing Capacity and Fishing Aspirations: A Balancing Act – Rebecca Metzner, United Nations Food and Agriculture Organization.

Moreover, material had been prepared for the Conference about nine RFMOs with well-prepared maps on the coverage of RFMOs in the high seas.

In addition three lectures set the stage for the workshops:

The State of Global Fisheries and Ecosystems – Denzil Miller, Convention on the Conservation of Antarctic Living Marine Resources, CCAMLR;

The Economic Drivers of Overfishing – Carl-Christian Schmidt, Organization for Economic Co-operation and Development, OECD;

Current Fisheries Governance – Ambassador Satya Nandan, United Nations Secretary-General of the International Seabed Authority.

The material on NEAFC is appended in Appendix II. The lectures are available on the Conference website <http://www.dfo-mpo.gc.ca/fgc-cgp/> or can be required from the NEAFC Secretariat together with other conference documents.

4. Five Workshops

The five workshops were tasked with developing the suggestions in the Ministerial Declaration into viable, operational proposals on how to proceed.

The following workshops ran in parallel:

1. *Implementing Ecosystems based considerations in Fisheries Management* – Chair. Denzil Miller, Convention on the Conservation of Antarctic Living Marine Resources;
2. *Compliance and Enforcement* – Chair: Ambassador Gudmundur Eiriksson of Iceland;
3. *Decision-making in Regional Fisheries Management Organizations* – Chair: Don McRae, Canada;
4. *Fishing Capacity and Fishing Aspirations – A Balancing Act* – Chair: Transform Aqorau, Forum Fisheries Agency (FFA);
5. *New Areas and Gaps – How to Address Them* - Chair: Carlos Dominguez, Spain.

The focus and discussion in the various workshops was very variable. This is reflected in the summary of the discussions in Appendix III, which scarcely achieved what Ministers had hoped, although some parts are quite informative.

5. APPENDICES

Appendix I. Ministerial Declaration

Appendix II. Matrix information on NEAFC

Appendix III. Summary of Workshops