

SPECIAL REPORT

Addressing International Fisheries Related-issues: The Role of SEAFDEC in Supporting the Southeast Asian Countries

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Since the beginning of the 1990s, the international community has made several attempts to enhance and develop the legal framework for fisheries management as laid down in the 1982 United Nations Convention on the Law of the Sea (1982 Convention). Such attempts have included the 1992 Rio Declaration and Agenda 21 adopted by the United Nations Conference on the Environment and Development; the 1993 Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas (Compliance Agreement); the 1995 Code of Conduct for Responsible Fisheries (Code of Conduct); the 1995 Rome Consensus on World Fisheries; the 1995 Kyoto Declaration and Plan of Action on the Sustainable Contribution of Fisheries to Food Security (Kyoto Declaration and Plan of Action); the 1995 Agreement for the Implementation of the Provision of the United Nations Convention of the Law of the Sea of 10 December 1982 Relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stock (UN Fish Stocks Agreement); and the 2001 International Plan of Action to prevent, deter and eliminate illegal, unreported and unregulated fishing (IPOA-IUU), which is a voluntary instrument that applies to all States and entities and to all fishers. These measures focus on all State responsibilities, flag State responsibilities, coastal State measures, port State measures, internationally agreed market-related measures, research and regional fisheries management organizations.



SEAFDEC Ad-hoc Meeting of Shark Experts in the Southeast Asia



Moreover, international fish trade is one of areas where related issues such as traceability, certification, labeling, fisheries subsidies, and welfare of fishing crew and fishing labor could affect the sustainable development of fisheries and aquatic resources in the region. While the Food and Agriculture Organization of the United Nations (FAO) had endorsed a set of technical guidelines intended to promote responsible international trade in fish and fishery products, it also calls on governments to take a number of steps “to ensure that international trade in fish and fishery products does not compromise the sustainable development of fisheries and responsible utilization of living aquatic resources.” However, international fish trade seems to involve a more complex negotiation between the importers and exporters, making it sometimes difficult for States to make international trading “transparent and in accordance with internationally agreed rules” as called for by the FAO. In 2007, The World’s exports of fish reached 92 billion US Dollars. During that same year, the total world production of fish was 145 million tons of which about 38% or 55 million tons was exported. Considering that a big chunk of the fish production comes from the developing countries including the Southeast Asian region, it is therefore no wonder that issues on trade in fish and fishery products could really impact the sustainable development of fisheries in many countries of this region.

To date, the fishery issues generally referred to in the aforementioned instruments as well as those related to fish trade include excess fleet capacity; by-catch and discards; monitoring, control and surveillance (MCS) of fishing vessels; measures to enhance data collection; and application of the



precautionary approach. The increasing attention and the number of discourses on fisheries issues by the international society have been focused on one hand, on the need for greater attention by policy makers and administrators to address how sustainable development of fisheries could be better achieved through rationale/responsible utilization and improved management. On the other hand, concerns have been registered to a number of issues and the direction of the discussions, considering that many of such issues are being addressed by a wide range of international fora/agencies, which, in many cases, have no competence in fisheries, and thus, could be perceived as “disguised” trade distortions. It is therefore important that the countries in Southeast Asia are fully aware of such movements and should be prepared to put in place measures to address such issues in order to complement to, without creating unnecessary confusion and obstacles to, the on-going regional efforts in achieving sustainable fisheries development through improved management practices. In addition, addressing such fisheries issues should not be made in isolation and should consider all the relevant linking factors in the fisheries development arena.

To address the international fisheries and fish trade related issues, the SEAFDEC Council and the ASEAN Sectoral Working Group on Fisheries (ASWGFi) adopted in 2007, a new modality for regional cooperation in addressing international fisheries issues. The modality outlines roles and functions of Parties concerned, recognizing the strong leadership of the ASEAN-SEAFDEC Member Countries with support from SEAFDEC as well as the mechanism for cooperation. Since then, SEAFDEC has provided a forum through the ASEAN-SEAFDEC Regional Technical Consultation on the International Fisheries and Fish Trade-related Issues, in order to discuss the global situation and policies/directions, which could have impact one way or another, on the fisheries development of the region. The Consultation also aims to promote the formulation of a regional coordinated positions on the respective international fisheries and fish

trade-related issues including emerging issues, that could be given due consideration in future formulations of relevant international instruments. Furthermore, an executive report of the Consultation is submitted to the SEAFDEC Council of Directors and the ASWGFi on an annual basis as stipulated in the new modality. The executive report summarizes the background and context of the identified issues together with policy considerations/ recommendations, and most importantly, the proposed common coordinated positions of the Member Countries for each respective issue.

Currently, many issues related to international measures and fish trade including environment-related and emerging issues are of main interest by the Southeast Asian countries. These include issues related to the Implementation of the EC Regulation to Prevent, Deter, and Eliminate IUU Fishing; the FAO Legally-binding Instruments on Port State Measures (PSM) for Combating Illegal, Unreported and Unregulated (IUU) Fishing; the proposed listing of aquatic species into the CITES Appendices; the WTO Fishery Subsidies Negotiations;



FAO Aquaculture Certification; Climate change-Fisheries, among others. Through the ASEAN Modality for Regional Cooperation in addressing international fisheries related issues, SEAFDEC will work closely with the Member Countries in order that the issues are properly discussed and would assist the Member Countries in developing the common coordinated positions to safeguard and promote regional common interests, and ensure the sustainable development of fisheries and aquaculture in the region. Furthermore, SEAFDEC would also support the Member Countries in putting forward such common coordinated positions during relevant international fora.

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