

Conjectural Communiqué

L20 Manifesto on International Fisheries Governance Victoria, British Columbia, Canada, October 2006

Preamble

International fisheries management systems are failing: high seas fish stocks are collapsing, ecosystems are imperiled and biodiversity is under direct threat. The depletion of fish stocks threatens the structure, functioning and resilience of ecosystems that provide the basis for global food security and economic development as well as long-term planetary welfare.

We, the heads of state of 20 leading industrialized and developing States (L20), recognize that the status quo is no longer acceptable. We shall lead the global community in writing the next chapter in the history of the world's fisheries and oceans, in order to restore their once-proud place in our cultures, in our nations, and in our lives.

To chart the course to sustainable oceans and fisheries management and conservation in areas beyond our nations' jurisdiction, we hereby agree to invest our full political will and capital to achieve the goals set forth herein:

Expand RFMO functions, mandate and accountability

1. ***Become regional custodians.*** Regional fisheries management organizations (RFMOs) shall become effective ecosystem conservation and sustainable use organizations, acting as true custodians on behalf of the global community. Their mandate shall extend to all fishery-related activities within their geographical remit.

2. ***Reflect balanced interests.*** We shall ensure that membership in RFMOs is broadened to reflect interests of the global community in conservation of marine biodiversity and in sustainable utilization of fish stocks. All interested States as well as international and regional organizations, fishing industry representatives and civil society organizations (CSOs) should be able to take part effectively in meetings of RFMOs.

3. ***Increase transparency.*** To ensure that the institutions established to manage high seas fisheries are fully capable of fulfilling their role as oceans and fisheries custodians on behalf of the global community, we shall establish a regular and transparent RFMO review process. It will assess RFMO implementation of the United Nations Fish Stocks Agreement (UNFSA) as well as other relevant international instruments, including the requirements for precautionary and ecosystem-based management, biodiversity protection, transparency, participation, effective decision making, and equitable and ecologically sustainable allocations.

4. ***Increase accountability.*** When a review shows that an RFMO is falling short of its custodial responsibilities, the relevant fisheries and areas shall be closed to fishing until such time as effective conservation and management measures are in place.

Establish an International Oceans Authority and centralized MSC Agency

5. ***Role of International Oceans Authority.*** To ensure that all States' interests in the conservation of marine biodiversity and the sustainable use of resources beyond national jurisdiction are taken into account, we shall establish an International Oceans Authority. The International Oceans Authority shall be responsible for integrated management, consistent with international law, of the high seas and the Area through coordination, review and oversight of all regional and global organizations and any emerging or otherwise unregulated activities affecting marine biodiversity or sustainable use.

6. ***Functions of International Oceans Authority.*** To ensure that high seas fisheries conservation and management measures are developed and implemented consistent with the requirements of the UNFSA as well as other relevant international instruments (e.g. the Convention on Biological Diversity, the FAO Code of Conduct, the FAO Compliance Agreement, FAO International Plans of Action), the Authority will serve four international fishery-related functions: 1) scientific advice and technical support to RFMOs; 2) regular review and oversight of RFMOs; 3) interim management for areas or fisheries where: i) there is no competent RFMO, ii) the RFMO's management responsibilities have been suspended, or iii) the RFMO has been unable to agree on conservation and management measures or quotas; and 4) oversight of a centralized high seas monitoring, control and surveillance agency (MCS Agency).

7. ***Functions of MSC Agency.*** The MCS Agency shall undertake comprehensive monitoring, control and surveillance activities in cooperation with RFMOs, including through the establishment of a global catch documentation scheme. Such global catch documentation scheme shall trace catch from vessel to retailer and document whether and how it was caught in a manner consistent with regionally agreed conservation and management measures. The MCS Agency shall be empowered to appoint agents to board, inspect, secure evidence and take other relevant enforcement action on behalf of the global community against vessels that are undermining regionally agreed conservation and management measures or are otherwise engaged in fishery-related activities inconsistent with international law.

8. ***Funding through management fees.*** Funding for high seas fishery conservation and management shall be raised through a 15% management fee based on the value of each high seas catch landed or transshipped by a vessel. The revenues shall be collected by port States and administered by the International Oceans Authority. Up to 5% of the management fee shall be retained by port States to cover port State control expenses and the remainder shall be allocated to the International Oceans Authority and the MCS Agency. (We shall encourage flag States to charge their own management fees applicable to all fishery-related vessels registered in their nation.)

Improve compliance and enforcement in high seas fisheries

9. ***Require prior authorization.*** To end the scourge of illegal fishing and ensure that only responsible fishers and States benefit from access to high seas resources, we shall establish a central registry of fishing, transshipment and related support vessels that have received prior authorization from the relevant RFMO to engage in fishery-related activity on the high seas within their area of competence. Such registry shall also include information on the ownership, including the beneficial ownership, of each vessel. We shall also publish a global list of vessels and their flag States reported to be engaging in illegal or unauthorized high seas fishery-related activities.

10. ***Sustainability assessment as condition for authorization.*** Authorizations to engage in high seas fishery-related activities shall be issued by the relevant RFMOs only following a full assessment of sustainable catch levels, including an analysis of the impacts of the proposed fishing on non-target stocks and species, habitats, and ecosystems. The sustainability assessment shall in particular assess the impact of the fishery on the most sensitive species likely to be affected by the fishery. An authorization shall only be issued when the proponent can demonstrate that the level of the activity proposed is verifiably sustainable, including for the most sensitive species.

11. ***Additional conditions for authorization.*** As a condition to receiving an authorization to engage in high seas fishery-related activities, all vessels shall participate in the global catch documentation scheme, carry internationally licensed observers, non-tamperable transponders and logbooks, report location and activity on a real-time basis to the MCS Agency, the relevant RFMO and flag State, and consent to high seas boarding and inspection by agents authorized by the MCS Agency and/or the relevant RFMO.

12. ***Penalties.*** Fishing and related support vessels (and their beneficial owners/operators) that operate in contravention of authorization conditions may have their authorizations revoked and their vessels confiscated. Beneficial owners and operators shall be prosecuted for any loss or damage caused by their actions to other fishers, the fishery or the relevant ecosystem.

13. ***L20 enforcement.*** To support these commitments, we shall ensure that no unregistered vessels enter our ports or uncertified catches enter our markets, that all domestically flagged vessels are registered and their movements and catches reported on a global basis, that all port State control measures are undertaken consistent with the FAO port State control scheme and that any enforcement measures are sufficient to deter further illegal action. We shall transmit the collected data and information, including vessel compliance and enforcement reports, for compilation at the regional and global levels.

Eradicate unregulated and unreported fishing

14. ***Prohibit unregulated fishing.*** To stamp out the threat posed by unregulated and unreported fishing to global food security, economic development, ecological integrity and biological diversity, we shall immediately prohibit fishing on the high seas where there are no regionally agreed conservation and management measures consistent with the requirements

of UNFSA and other relevant instruments for precautionary and ecosystem-based management and marine biodiversity conservation.

15. ***No access to unregulated catches.*** We shall close our ports and markets to catches when it cannot be demonstrated that such catch was caught in conformity with regionally agreed conservation and management measures. We shall also close our ports to vessels flying the flags of States that have consistently failed to prevent their vessels from engaging in unregulated and unreported high seas fishing-related activities.

16. ***Global support.*** To broaden the base of support, we shall simultaneously seek a United Nations General Assembly Resolution to these ends.

Strengthen national implementation

17. ***Enhance capacity of and aid to developing countries.*** To improve the capacity of developing countries to manage and control domestic fisheries and to take part as equal partners in RFMOs with regards to high seas fisheries, members of the L20 from developed countries pledge to increase targeted fisheries assistance.

18. ***Address root causes of overfishing.*** All L20 members shall individually and collectively: i) eliminate perverse subsidies and overcapacity; ii) ensure that information on vessel capacity and movements is compiled at the national, regional and global levels; iii) improve standards to protect fish workers; iv) develop programs to provide fish workers alternative employment opportunities; and v) identify and disseminate best practices on fisheries conservation and management at the regional level.

19. ***Leadership by example.*** We shall enact all necessary national measures and pursue collective global agreement through the United Nations General Assembly and other relevant institutions to implement these commitments. Delay in obtaining global commitment shall not delay national and regional level implementation amongst ourselves and other willing partners.

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