



COMMITTEE ON FISHERIES

Thirty-sixth Session

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THE IMPLICATIONS FOR FISHERIES AND AQUACULTURE OF GLOBAL BIODIVERSITY FRAMEWORKS AND AGREEMENTS

Executive Summary

This document examines the current and future considerations for fisheries and aquaculture in three key Multilateral Environmental Agreements (MEAs) and describes FAO support to Members in implementing and reporting on biodiversity mainstreaming within the context of these.

FAO's actions on supporting fisheries and aquaculture engagement with the Convention on Biological Diversity's (CBD) Kunming-Montreal Global Biodiversity Framework (GBF), the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), and the 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 (BBNJ) are described.

The document identifies opportunities for further mainstreaming biodiversity and discusses the challenges and needs of Members in delivering MEA requirements, with the ultimate goal of strengthening the consideration of sustainable use and trade of commercially exploited aquatic species across relevant international processes.

Suggested action by the Committee

The Committee is invited to:

- (i) acknowledge the increasing intersection of the requirements of multi-lateral environmental agreements (MEAs) with fisheries and aquaculture policies and practices, including international legally binding instruments; and
- (ii) offer advice on how FAO can enhance its support to Members as they continue to engage with the CBD, CITES and the UN Convention of the Law of the Sea, and implement three key multi-lateral environmental agreements (GBF, BBNJ and CITES)
- (iii) identify specific areas where additional resources or expertise are needed, existing policies and practices could be improved or expanded, and additional coordination could enhance biodiversity mainstreaming efforts.

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I. INTRODUCTION

1. Resilient fisheries and aquaculture depend on biodiverse aquatic systems. The diversity within (genetic and population) and between species provides the ecosystem functions and services that underpin food security, nutrition and fishers' and fish farmers' livelihoods.
2. The task of preserving the productivity of aquatic ecosystems is formidable, especially in the face of increasing pressures, such as the detrimental effects of climate change. Concurrently, civil society is increasingly advocating for more investment in nature conservation, particularly biodiversity, in response to emerging evidence of a decline in the richness and diversity of life.
3. FAO's Blue Transformation roadmap is well poised to address declines in abundance, and increased risk of local and global losses of biodiversity (both extirpation and extinction). Its focus is on delivering the 2030 Agenda by making fisheries and aquaculture more efficient, inclusive, resilient, and sustainable. The roadmap includes promoting the effective implementation of international instruments, regional coordination mechanisms, action plans, and guidelines, including those focused on biodiversity conservation, ecosystem restoration, strengthening climate change adaptation, and other resilience-building actions.
4. Multilateral Environmental Agreements (MEAs), especially the Convention on Biological Diversity (CBD), the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), and the 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 (BBNJ Agreement), have well-defined biodiversity conservation objectives. These objectives, which focus on national and transboundary aquatic systems, intersect with both fisheries and aquaculture policies and practices, including international legally binding instruments such as the 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) and the WTO Agreement on Fisheries Subsidies.
5. Establishing, implementing and ensuring regular reporting on progress in giving effect to these MEAs require investment in human capacity and funding. These requirements can pose a challenge for countries as they typically are focused on biodiversity protection and not fisheries management. Nevertheless, these MEAs impact fisheries and aquaculture, and fisheries and aquaculture provide opportunities to meet their requirements. Considering these agreements and their intersection with other fisheries focused agreements will highlight opportunities for economies of scale.

II. FAO BIODIVERSITY MAINSTREAMING STRATEGY

6. The FAO integrates policies and practices for the conservation, sustainable use, management, and restoration of biological diversity across agricultural sectors. This is outlined in the FAO's 'Strategy on Mainstreaming Biodiversity across Agricultural Sectors'.¹ The FAO implements the strategy and monitors progress through its action plans (2021–2023² and 2024–2027)³ which provide an overview of FAO's work related to biodiversity mainstreaming.

¹ FAO. 2020. FAO Strategy on Mainstreaming Biodiversity across Agricultural Sectors. Rome. <https://doi.org/10.4060/ca7722en>

² FAO. 2021. 2021–23 Action Plan for the Implementation of the FAO Strategy on Mainstreaming Biodiversity across Agricultural Sectors. Rome. <https://doi.org/10.4060/cb5515en>

³ FAO. 2024. Action Plan for the implementation of the FAO Strategy on Mainstreaming Biodiversity Across Agricultural Sectors 2024–2027. Rome. <https://openknowledge.fao.org/handle/20.500.14283/cd0709en>

7. The 2021–23 Action Plan for the Implementation of the FAO Biodiversity Strategy was successfully implemented, with 97 per cent of the 182 planned deliverables completed.⁴ This was superseded by the 2024–27 Action Plan, revised by the Technical Committees at their sessions in 2022 and by the CGRFA at its 19th Regular Session.⁵ The revised version of the Action Plan was shared with Members for their written feedback in December 2023 and January 2024, before its finalization and launch in May 2024.⁶ The Action Plan is fully aligned with the Kunming-Montreal Global Biodiversity Framework (GBF) and its deliverables are mapped to the targets of the GBF. It also complements and is fully in line with other FAO strategies and policies, including the FAO Strategy on Climate Change 2022–2031.⁷ Amongst other things, it contains a set of actions focused on engaging in and providing support to Members on the implementation of the MEAs in fisheries and aquaculture.

III. THE CBD KUNMING-MONTREAL GLOBAL BIODIVERSITY FRAMEWORK

8. The Kunming-Montreal Global Biodiversity Framework (GBF),⁸ which sets global goals and targets for biodiversity for 2030 (with the assumption that these will be expanded to include a set for 2050), has wide applications to aquatic systems, fisheries and aquaculture and their sustainable use and management. It provides opportunities to further mainstream biodiversity into the agrifood sectors while promoting coherence, complementarity and cooperation between the CBD and its Protocols, other biodiversity related conventions, and other relevant multilateral agreements and international institutions, and supports the implementation of an Ecosystem Approach to Fisheries and Ecosystem Approach to Aquaculture in an equitable and inclusive manner.

9. The working paper COFI:FM/I/2024/4 tabled at the first session of the COFI Sub-Committee on Fisheries Management (www.fao.org/cofi/fish-management/documents/en) outlines details on fisheries and aquaculture related GBF targets that focus on spatial management, species, use and trade, pollution, and fair and equitable sharing of benefits that arise from the use of biodiversity, as well as the set of FAO tools and data available to support Members implement the GBF.

10. A review of the monitoring framework of the GBF is expected at the sixteenth meeting of the Conference of the Parties (COP 16) of the CBD, including indicators and processes for monitoring, evaluating, and reporting progress in implementation. The monitoring framework currently contains 26 headline indicators that Parties are required to report on, including headline indicator 5.1 on the proportion of fish stocks within biologically sustainable levels (also SDG indicator 14.4.1), and over 200 complementary and component indicators which Parties can report on voluntarily. Some gaps exist, including how to report on sustainable aquaculture policy and practice under Target 10.

11. Informing, engaging, encouraging, and empowering all those with an interest in mainstreaming biodiversity in fisheries is necessary to ensure fisheries actors are given representation (part of setting the narrative on their responsibility for delivering progress of GBF targets), recognition (for environmental management already part of fisheries value chains), and resourcing (funding is made available for strengthening current and establishing novel policies and practices to deliver on GBF objectives).

12. The FAO is working with Members to identify opportunities, challenges, and needs for operationalizing implementation of the GBF, while reflecting the varied views of fisheries

⁴ CL 166/REP, paragraph 24 h; FAO. 2021. *2021-23 Action Plan for the Implementation of the FAO Strategy on Mainstreaming Biodiversity across Agricultural Sectors*. Rome. <https://doi.org/10.4060/cb5515en>

⁵ C 2023/22, NFI/R1391, COFO/2022/REP and CGRFA-19/23/Report.

⁶ [Link to published Action Plan to be provided when available]

⁷ FAO. 2022. *FAO Strategy on Climate Change 2022–2031*. Rome.

<https://openknowledge.fao.org/handle/20.500.14283/cc2274en>

⁸ CBD/COP/DEC/15/4

stakeholders and fisheries management objectives. The FAO plans to publish a unifying narrative on the role of fisheries in achieving the goals and targets of the GBF in time for COP16 to be held from 21 October to 2 November 2024, in Cali, Colombia.

13. Translating the GBF into sector-specific guidance will encourage a broader set of actors to deliver against GBF objectives. The FAO's collation and publication of advice from fishers aim to build on a biodiversity mainstreaming narrative for fisheries actors and signal to the CBD community the requirements and opportunities for engaging fisheries in delivering on the objectives of the GBF.

14. Parties to the CBD are in the process of revising and updating their national biodiversity strategies and action plans (NBSAPs) to align them to national interest and the objectives of the GBF. FAO will publish a systematic examination of past practices in NBSAP formulation, to communicate opportunities and challenges of including management of aquatic food production in the content of these plans and thus inform implementation of the NBSAPs.

IV. THE CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA (CITES)

15. Six proposals for listing commercially exploited aquatic species were submitted by Parties for listing in CITES Appendix II. The FAO Expert Panel⁹ determined that one of the six proposals met the CITES criteria for listing on Appendix II. The CITES Secretariat in its advice to Parties recommended accepting four proposals.

16. At the 19th Conference of Parties of CITES held in Panama in late 2022, all six proposals for listing commercially exploited aquatic species in CITES Appendix II were adopted. This placed 119 species, 97 percent of which were sharks and rays, under CITES trade controls.

17. The FAO is actively engaging with fisheries authorities to understand their management of sharks and rays and the challenges they encounter in complying with CITES requirements. The goal is to compile a comprehensive understanding of the needs of fishery authorities. A report that documents responses from fisheries authorities across Africa, the Americas and Asia will be published in 2024. In addition, a scientific paper on the methodologies used for assessing shark value chains across five continents is also set to be published in 2024.

18. The underreporting of 'introduction from the sea' (IFS) movements of CITES listed species from areas not under the jurisdiction of any State is a recognized issue. FAO participated at an expert meeting in April 2024,¹⁰ aiming to strengthen advice on how parties can complete IFS certifications including non-detrimental findings and legal acquisition findings.

19. The 20th Conference of Parties of CITES planned for 2025 is likely to consider further listings of commercially exploited aquatic species. Given the poor traction of the FAO expert Panel reports on CITES proposed listings in recent years, FAO is considering a more direct focus on implementation, to enable legal and sustainable trade in commercially exploited aquatic species CEAS. The procedures that FAO should follow in informing CITES parties on the eligibility of species for inclusion in CITES Appendices remains a matter subject to Members' guidance.

20. Relevant to future assessments, on-going CITES discussions on listing criteria thresholds, including the wording of the 'Fisheries Footnote', should be carefully tracked by Members as a CITES

⁹ [FAO Expert Advisory Panel for the assessment of proposal to amend CITES appendices - Fisheries and Aquaculture](#)

¹⁰ Technical workshop on Non-detriment findings for specimens of Appendix-II species taken from areas beyond national jurisdiction 25 – 26 April 2024 (CICG, Geneva, Switzerland). <https://cites.org/eng/node/138813>

intersessional working group is currently examining if the risk of extinction of cartilaginous and other fish requires more precautionary guidance.

V. 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 (BBNJ AGREEMENT)

21. The FAO welcomes the adoption of the Agreement, a long-awaited milestone in the governance of oceans and the conservation and sustainable use of marine biological diversity. The sustainable use of fisheries resources in areas beyond national jurisdiction is inextricably linked to the conservation of marine biological diversity.

22. The need for cooperation in conserving and sustainably using common ocean resources is central to the United Nations Convention on the Law of the Sea and the objectives of the new Agreement. Cooperative partnerships that leverage synergies are fundamental to all fishery management and environmental conservation regimes, given the clear link between fisheries management and environmental protection.

23. The BBNJ Agreement promotes coherence and coordination with relevant legal instruments, frameworks, and sectoral bodies (IFB). It provides an opportunity to build on existing policy instruments, processes, and works of sectoral bodies and to enhance coordination and cooperation efforts among them without undermining their mandates.

24. The FAO is ideally positioned to assist Members in ratifying and implementing the BBNJ agreement whilst ensuring the desired coordination and cooperation between the governance and institutional mechanisms of the BBNJ Agreement and relevant FAO instruments, frameworks and bodies, including COFI Sub-Committees and platforms like the Coordinating Working Party on Fishery Statistics, the Fisheries Global Information System (FIGIS), and the Fisheries and Resources Monitoring System (FIRMS).

25. FAO will draw on its extensive expertise in global and regional ocean governance to support Members in their implementation of the treaty including by facilitating, ensuring synergies and building on the work that is already being undertaken in implementing FAO binding instruments such as the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (PSMA) and non-binding instruments including the Code of Conduct for Responsible Fisheries and related International Plans of Action and guidelines. To ensure targeted and tailored support to Members, FAO will leverage its existing collaborative projects and networks including the network of the regional fisheries bodies involved in managing marine areas beyond national jurisdiction, the GEF-funded Common Oceans Program, and the FAO-supported Regional Fishery Body Secretariats' Network (RSN).

26. FAO promotes regional initiatives aimed at enhancing cooperation and coordination among regional fishery bodies (RFBs), as outlined in COFI/2024/INF/15. In providing support to Members on the adherence to and implementation of the BBNJ Agreement, FAO will also leverage its collaboration with RFBs, in particular with regional fisheries management organizations (RFMOs) in support of the implementation of measures for the sustainable use of marine resources and the conservation of biodiversity in the area of competence of such RFMOs including the high seas.

27. The FAO has initiated contacts and facilitated the exchange of views among Member delegations regarding the provisions of the BBNJ Agreement. As part of these efforts, the FAO published an information document titled "*FAO and the marine biological diversity beyond national jurisdiction (BBNJ) process*". This booklet presents information on the FAO's work relevant to the BBNJ process, including ongoing initiatives, processes, and lessons learned. The document also highlights areas where the FAO may assist Member Nations in implementing the BBNJ Agreement.

FAO is also studying the overall impact of the BBNJ Agreement on fisheries and FAO instruments frameworks and bodies with a view to provide relevant guidance for Members.

28. Through its Committee on Fisheries (COFI) and its Sub-Committees, the FAO provides a regular and ongoing forum for its Members to engage in discussions on crucial fishery matters, including those related to the high seas. Guided by the FAO Committee on Fisheries and other FAO governing bodies, the FAO stands ready to assist and work with Members to provide technical advice and support in the implementation of this long-awaited international instrument.

VI. LOOKING FORWARD: IMPLEMENTATION OF MULTILATERAL ENVIRONMENTAL AGREEMENTS

29. Leveraging its extensive experience in capacity-building programs, the FAO is well-positioned to support its Members in the implementation of MEA requirements. This support is based on its track record in implementing a variety of agreements that specifically address the fisheries sector. The FAO is committed to empowering its Members to effectively navigate the challenges and opportunities presented by these agreements, thereby ensuring the sustainable and responsible management of fisheries and aquaculture.

30. The FAO will play a crucial role in assisting Members in implementing a range of multilateral environmental agreements, and in monitoring interactions between these agreements and existing fisheries- and aquaculture-related international instruments. Below is a set of proposed actions by the FAO Secretariat that constitute the core of this support:

- (i) Maintain strong connections with Convention Secretariats, including participating in their committee and global process meetings to represent fisheries and aquaculture interests in the mainstreaming of biodiversity. This work is needed to overcome challenges in achieving policy coherence between fisheries and aquaculture and biodiversity instruments;
- (ii) Support and strengthen coordination and cooperation between RFBs to support Members to meet agreed and relevant MEA objectives. The RSN is a good mechanism in this regard as it facilitates sharing experiences, data and information, and provides a forum for discussion on emerging issues of common concern among the RFB Secretariats;
- (iii) Continue to support the development of new and the monitoring, evaluation and reporting of existing GBF indicators by Members;
- (iv) Support Members in defining fisheries and aquaculture opportunities, challenges and needs to progress achievement of GBF goals and targets and secure opportunities to communicate this within the Convention of Biological Diversity (e.g. at the upcoming CBD CoP 16 and beyond);
- (v) Publish a systematic review of past practices in formulating National Biodiversity Strategies and Action Plans (NBSAPs), to identify references to aquatic systems and emphasize their importance in the current formulation of these national plans;
- (vi) Support parties to MEAs as required in defining the criteria by which commercially exploited aquatic species are characterized as vulnerable to extinction (CITES, IUCN, CMS directives);
- (vii) Support Members and fisheries bodies in implementing CITES provisions to Appendix listings in the fisheries sector;
- (viii) Develop guidance for members to help understand the challenges and opportunities of the BBNJ Agreement for the fisheries and aquaculture sector;
- (ix) Support Members, who may become Parties to the BBNJ Agreement, with capacity development, guidance, and technical assistance for the ratification and eventually implementation of the BBNJ Agreement; and
- (x) Consider links and synergies between MEAs (GBF, CITES, BBNJ) and other fisheries focused agreements (WTO, UNFSA, Compliance Agreement, PSMA) and implement actions to support Members that may lead to economies of scale (e.g. work on assessing the status of stocks).