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PROGRESS IN THE IMPLEMENTATION OF THE CODE OF CONDUCT FOR RESPONSIBLE FISHERIES AND RELATED INSTRUMENTS

Executive Summary

Ninety-eight FAO Member Nations and the European Union (EU)¹ participated in the 2022² edition of the questionnaire on the implementation of the Code of Conduct for Responsible Fisheries (the Code) and related instruments, representing 50 percent of FAO Members. This reflects a decrease in the number of respondents in comparison to the 2020 edition of the questionnaire, whereby 118 Member Nations and the EU responded.. Thirty-two Regional Fishery Bodies and 6 Non-governmental Organizations also submitted their respective responses to the questionnaire, a decrease compared to 2020 whereby 36 and 13 responded, respectively. A detailed analysis of the responses to the questionnaire is presented in this document. Statistical tables summarizing Members' responses referred to in this document are made available on the COFI website³ and in document COFI/2022/SBD.2, which is to be read in conjunction with this document.

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¹ The EU responded on behalf of its Member States, except for sections 19.2, 19.3, 20, 21, 41 and 51. In the case of 41 and 51, both the EU and its Member States have provided a response.

² The questionnaire is usually initiated in the year preceding COFI; in this case it initiated in December 2021.

³ www.fao.org/about/meetings/cofi/documents-cofi35/en/

I. ACTIVITIES AND APPLICATIONS OF THE CODE AT NATIONAL LEVEL

A. General

1. In Article 2, the Code of Conduct for Responsible Fisheries (the Code) lays out ten objectives. Members⁴ were invited to rank the relevance of these objectives (Table 3). Top priorities continued to be assigned to objectives (a)⁵ and (b)⁶, as has been the case since 2007. Similarly to 2020, 2018 and 2015, Members rated (j)⁷ and (d)⁸ among the least relevant objectives.
2. The Code is subdivided into themes, touching on eight technical domains of fisheries and aquaculture sectors (fisheries management, aquaculture development, fishing operations, fisheries research, trade, post-harvest practices, integration of fisheries into coastal and basin area management, inland fisheries development). Members were invited to assign priority ratings to these (Table 4). Fisheries management and aquaculture development continued to be ranked as top priorities, reflecting results obtained since 2001. Similar to the five previous editions of the questionnaire, inland fisheries development and integration of fisheries into coastal and basin area management were given the lowest priority.
3. Members have reported an average degree⁹ of conformity to the Code of 3.86 for policy, 3.94 for legislation, 3.81 for institutional framework and 3.65 for operations and procedures (Table 5) all reflecting a slight increase in comparison to 2020. Out of those who were not fully in conformity, 84 percent, 78 percent, 79 percent and 75 percent, respectively, reported they intend to become fully in conformity with regard to policy, legislation, institutional framework, and operations and procedures, respectively.
4. Forty two percent of the respondents reported to have enacted their main fisheries legislations currently in force prior to 1996 (Table 6), 32 percent in the 15 years from 1996 to 2010 and 26 percent in the recent years since 2010. The regions with the highest percentage of respondent having enacted changes to their main fisheries legislation since 2010 are Africa (47 percent) and Europe (43 percent).
5. Ninety percent of the Members reported having increased awareness about the Code, a similar percentage as reported in 2020 (Table 7). To do so, the mechanisms that were most frequently reported as key included, meetings, workshops and seminars (70 percent), developing guidelines and codes based upon the Code (54 percent), publishing and distributing documents on the Code (35 percent) and training and administration of staff (49 percent).

B. Fisheries management

6. Respectively 82 percent and 53 percent of the respondents reported to have identified at least one marine and one inland fishery. Of those that did identify fisheries, 94 percent and 80 percent reported to have developed marine and inland fisheries management plans (FMPs), respectively. Of those that had developed FMPs, 92 percent and 85 percent reported to have implemented marine and inland FMPs, respectively, equating a reported total of 857 marine FMPs and 666 inland FMPs implemented (Table 8), higher than the 761 marine and 433 inland implemented FMPs reported in 2020.

⁴ Percentages within document are only reflective of the Members to which the question or section was relevant, while also having provided a response to the question or section.

⁵ Objective a): Establish principles for responsible fisheries taking into account all their relevant biological, technological, economic, social, environmental and commercial aspects.

⁶ Objective b): Establish principles and criteria for the elaboration and implementation of national policies for responsible conservation of fisheries resources and fisheries management and development.

⁷ Objective j): Provide standards of conduct for all persons involved in the fisheries sector.

⁸ Objective d): Provide guidance which may be used where appropriate in the formulation and implementation of international agreements and other legal instruments, both binding and voluntary.

⁹ Members were asked to rate the extent of conformity from “1” being “not at all” to “5” being “fully”.

7. Out of the Members who reported to have developed FMPs, the most common categories of management measures to promote responsible resource use in marine fisheries include: prohibiting destructive fishing methods and practices (97 percent), providing for stakeholder participation in determining management decisions, ensuring the level of fishing is commensurate with the state of fisheries resources (*ex aequo* at 94 percent), using precautionary approaches which provide for conservative safety margins in decision making, and addressing selectivity of fishing gear (*ex aequo* 92 percent). The least common categories of marine measures were: making use of stock-specific target reference points (TRPs) (70 percent) and targeting or addressing abandoned, lost and otherwise discarded fishing gear (ALDFG) (67 percent) (Table 9).

8. In the case of inland fisheries, the most commonly reported categories of measures differed from those reported for marine fisheries and relate to: using precautionary approaches which provide for conservative safety margins in decision making, recognizing a process for identifying ‘vulnerable habitats’ or other types of significant and/or sensitive vulnerable areas (*ex aequo* at 88 percent), and targeting or addressing ALDFG and/or ghost gear (85 percent). The inland measures that were least reported were those prohibiting destructive fishing methods and practices (54 percent) and addressing biodiversity of aquatic habitats (46 percent) (Table 9).

9. Eighty-two percent of the respondents reported having started implementation of the ecosystem approach to fisheries (EAF). Of those 97 percent reported having established ecological, socio-economic and governance objectives, 97 percent reported having identified issues to be addressed by management actions, and 84 percent reported having established monitoring mechanisms (Table 10).

10. Of those implementing EAF, 95 percent reported having management and institutional systems in place, 94 percent reported retaining species (target catch and bycatch) and 92 percent reported having addressed social and/or economic elements at the community and national levels. Issues relating to external drivers were least reported (66 percent) (Table 11).

11. Since 2010, the number of Members reporting to have developed TRPs has gradually increased from 56 percent to 69 percent in 2020 and 2022. The reported total number of TRPs having been developed has also increased from 845 in 2011 to a high of 1 739 in 2018, although reducing to 1 489 in 2022. Sixty-seven percent of Members reported that one or more TRPs were being approached, while 49 percent reported that they had been exceeded (Table 12). These were relatively similar to figures from 2020 reporting but show a general reduction since 2010 where 76 percent of Members reported to have exceeded one or more TRPs.

12. Types of indicators used for managing stocks other than TRPs include: catch and effort indicators (96 percent), validated stakeholder knowledge (74 percent), socio-economic indicators (57 percent), and ecosystem indicators (48 percent) (Table 13). When TRPs were exceeded, the most commonly reported remedial actions were: limiting fishing effort (92 percent), carrying out more research, strengthening monitoring, control and surveillance (MCS) and closing fisheries (*ex aequo* at 84 percent) (Table 14).

C. Fishing operations

13. Members were invited to report on the most important measures taken to control fishing operations undertaken by vessels flying their flag within and beyond their exclusive economic zone (EEZ). Ninety-nine and 97 percent reported having taken these measures within their EEZ and beyond, respectively. As since 2011, the strengthening of monitoring, control and surveillance (85 percent), penalties and sanctions (52 percent) and vessel registers (44 percent) were reported to be the most important actions taken to ensure that fishing operations within the EEZ comply with license provisions (Table 15).

14. With respect to measures taken beyond their EEZ and as since 2011, the application of mandatory authorization schemes (68 percent) was the most reported measure taken to control fishing operations. The next two categories of measures given the most importance were enhancement of MCS measures (47 percent) and enforcing compliance with laws of other States, and regional fisheries management organizations (RFMOs) decisions (39 percent) (Table 16).

15. Seventy percent reported that bycatch and discards occur in major fisheries and the same percentage reported having formal bycatch and discard monitoring schemes in place. This represents an upward trend in comparison to 2020 and 2018 where 65 and 61 percent reported having monitoring schemes in place, respectively. Of those formally monitoring bycatch and discards, 70 percent consider that bycatch and discards contribute to unsustainability. Of those that consider bycatch and discards contribute to unsustainability, 95 percent of respondents reported to have management measures in place to minimise bycatch and discards. Ninety-seven and 83 percent of Members who have management measures for bycatch and discards also have measures to address the protection of juveniles and ghost fishing, respectively (Table 17).

16. Eighty-three percent of Members reported to have either partially or fully implemented vessel monitoring systems (VMS), in comparison to 75 percent in 2020. Eight percent of Members reported that although they had not implemented VMS, they demand that foreign vessels in their EEZ carry VMS and report to other monitoring centres (e.g., RFMOs) (Table 18).

17. Members were invited to rate their concerns from 1-5¹⁰ with regard to abandoned lost or otherwise discarded fishing gear (ALDFG). The average response from Members was 3.47 or slightly above medium concern. The issues of highest concern related to: harm to the environment (90 percent), entanglement of wildlife (78 percent) and loss of fish stocks (74 percent). The issues of least concern were negative impacts on tourism (35 percent) and damage to vessels (28 percent) (Table 19).

18. Twenty-six percent of the Members that considered ALDFG to be a concern reported having information on gear loss rates, with 53 percent of those reporting to have this information by gear type (Table 20). Of those that reported having information by gear type, the more frequently identified types were: trawl; gillnets and entangling nets; longline; and lobster pots or traps (Tables 21 and 22).

19. Forty-nine percent of Members reported to have the requirements for gear marking. The most widely used types of gear marking reported were marking pen or spray (79 percent), and printed metal or plastic tags (58 percent) (Table 23).

20. Eighty-seven percent and 44 percent of Members reported that they have included inspection of on-board gear within observer programmes to ensure relevant compliance with regulations and safety and that include reporting mechanisms for ALDFG, respectively. Twenty-one percent of Members reported to have requirements for reporting ALDFG in logbooks for vessels above a certain size, whilst a further 21 percent reported to have this requirement for all vessels (Table 24).

21. Members were asked to report on port facilities with regard to waste disposal and recycling. Forty-three percent reported having requirements for ports to provide facilities for receiving fishing vessel waste, while 30 percent reported being required to have facilities for receiving old fishing gear. Twenty-six percent reported to have public and/or private programmes for recycling and/or upcycling of old fishing gear (Table 25).

D. Aquaculture development

22. Similarly to 2020 and 2018, 99 percent of Members reported that aquaculture development occurs in their countries (Table 26). Just over half of these Members reported to have largely complete enabling policy (51 percent), legislation (55 percent) and institutional (52 percent) frameworks. The majority of the remainder had partially developed policy, legal and institutional frameworks, and some had no or largely insufficient frameworks (9 percent, 8 percent and 8 percent, respectively).

23. The Code encourages Members to promote responsible aquaculture practices. Seventy-five percent of Members reported that government agencies have adopted codes or instruments in this regard, a slight increase from 68 percent in 2020. Private sector actors were reported by Members to also have adopted such codes or instruments at the producer level (69 percent), supplier level (52 percent) and manufacturer level (49 percent) (Table 27).

¹⁰ “1” being “no concern”, “3” being “medium concern”, and “5” being “major concern”.

24. Members were invited to report on the presence of procedures to undertake core activities for responsible development of aquaculture in accordance with the Code. Ninety-one percent reported conducting environmental assessments of aquaculture operations, 92 percent reported that they monitor aquaculture operations and 89 percent reported having measures to minimize harmful effects of alien species introductions (Table 28). With regard to the effectiveness of these procedures, most reported that they needed improvement (72, 78 and 61 percent, respectively) (Table 29). For all procedures, over 85 percent of Members identified the strengthening of institutional technical capacity as a major area where improvements are needed (Table 30).

25. Members are encouraged to promote responsible aquaculture practices to support rural communities, producer organizations and fish farmers. Ninety-three percent of Members stated that they had taken measures in this regard, and as in 2020 and 2018 the most frequently reported measure was the design and implementation of extension programmes/awareness campaigns/training (49 percent) (Table 31).

E. Integration of fisheries into coastal area management¹¹

26. Of the Members who reported having a coastline (94 percent), 34 percent, 29 percent and 32 percent have a largely complete and enabling policy, legal and institutional framework for integrated coastal zone management in place, respectively. This reflects an increase of close to 10 percent in comparison to reporting in 2020 for all three frameworks. Over a third have partially developed policy (36 percent), legal (38 percent) and institutional frameworks (35 percent). The remainder have not developed any or have largely insufficient governance frameworks for integrated coastal zone management (Table 32).

27. Members were asked to report on the issue of conflict not only within fisheries but also between the fisheries sector and other sectors operating within the coastal area. For the first time since 2010, the highest ranked conflicts were between fisheries and mineral extraction activities (15 percent), followed by conflicts between fisheries and recreational development (11 percent). More than 60 percent of the concerned countries reported having resolution mechanisms in place for these two conflicts: Gear types operating in the coastal area; Coastal fisheries and industrial fisheries (68 percent and 64 percent respectively) (Table 33).

F. Post-harvest practices and trade

28. The percentage of Members that reported having in place a largely complete and enabling effective food safety and quality assurance system for fish and fisheries products dropped from 71 percent in 2013 to 49 percent in 2018 to increase again to 65 percent in 2020 and in this year's reporting and the number of Members having no or largely insufficient systems has remained at 8 percent from 2018 through to 2022 (Table 34).

29. The issue of post-harvest losses and waste was relevant to almost all respondents (97 percent), of which 93 percent have taken measures to address it, including, enacting food-safety regulations (66 percent), enhancing monitoring, control and surveillance and promoting by-product utilization value addition (*ex aequo* at 41 percent) (Table 35).

30. Improving the use of bycatch is relevant to 91 percent of Members of which 91 reported having implemented measures to improve bycatch utilization, a 10 percent increase since 2015. As was the case in 2015 and 2018, awareness raising (50 percent), and mandatory landing of bycatch (40 percent) were identified as the most important measures to achieve improved use of bycatch (Table 36).

31. Similar to the reporting since 2011, the large majority of processors were reported to be in a position to trace the origin of the fisheries products they purchase (87 percent), while only 47 percent of consumers could do so (Table 37).

¹¹ The questions under this header were responded by individual EU Member States with the exception of those relating to policy framework in table 32.

32. The elimination of processing and trading in illegally harvested fisheries resources was deemed relevant by 96 percent of Members, and 89 percent of those have taken measures to address these matters. The most common reported measures include enhanced fisheries control and inspections (58 percent), followed by enhanced customs and border controls (38 percent) (Table 38).

G. Fisheries Research

33. Members reported that they obtained reliable estimates on stock status for a cumulative total of 2 726 stocks, up from 1 683 in 2020. On average, Members responded that stocks for which an estimate had been obtained represented 41 percent to 50 percent of their total stocks (Table 39).

34. Similar to reporting since 2010, 74 percent of Members indicated that statistics on catch and fishing effort were collected in a timely, complete and reliable manner. Seventy-four percent of Members reported that sufficient qualified personnel were available to generate data in support of sustainable fisheries management, up from 61 percent in 2020 (Table 40). The subject areas for which the need for additional qualified personnel is greatest are fish biology and stock assessment (86 percent) and fisheries statistics and sampling (62 percent) (Table 41).

35. The most prominent data sources used by Members for the development of fishery management plans are: historical data, in-port/landing site sampling surveys (*ex aequo* at 84 percent), routine data collection (83 percent), FAO and/or RFMO statistics (63 percent), and processing, market and trade statistics (68 percent) (Table 42).

36. As in 2020, 95 percent of Members reported that they have data gaps in the management of their fishery resources with the most prominent data gaps being: stock status (39 percent), ecosystem data (38 percent), catch data (37 percent), illegal, unregulated and unreported (IUU) fishing and/or MCS data (34 percent), and effort data (32 percent) (Table 43). Stock status was also the type of data for which there were the most gaps in all surveys since 2011.

37. Seventy percent of Members reported that they routinely monitored the state of the marine environment. This was significantly more than in 2013, 2015, 2018 and 2020 and closer to the 78 percent and 66 percent reported in 2009 and 2011, respectively. Of the Members reporting to perform such monitoring, the most common routine monitoring programmes focused on coastal and offshore habitats as well as on regular monitoring of threatened and endangered species (*ex aequo* at 83 percent), coastal parameters (81 percent) and on oceanographic parameters (74 percent) (Table 44).

38. Members were asked to report on research and programmes addressing the impacts of climate change on fisheries. Sixty-nine percent of Members indicated that formal research was in place to assess/predict the impact of climate change on fisheries, showing a decrease of 6 percent from 2020 reporting. Of these, 69 percent implemented formal programmes to mitigate its potential ecological, economic and social impacts and to build resilience which was 8 percent less than in 2020 (Table 45).

H. International instruments

39. Members were invited to report on the activities of flagged vessels conducting fishing and fishing related activities. Eighty-six percent reported to be doing so in waters within their national jurisdiction, 63 percent on the High Seas, and 49 percent in waters under the jurisdiction of another State (Table 46). With respect to the occurrence of fishing vessels flagged by the responding Members that were authorized by another State to conduct fishing and fishing related activities, 51 percent responded that this was occurring in waters under the jurisdiction of another State, and 38 percent reported that it was occurring on the High Seas (Table 47). Sixty-nine percent of Members reported that authorized foreign-flagged vessels were authorized to enter and use their ports, while 53 percent authorize foreign vessels to operate in waters within their national jurisdiction (Table 48).

40. Fifty percent of Members reported to have launched a preliminary fishing capacity assessment with 39 percent planning to do so in the future, significantly more than in 2020. Of those who had launched a preliminary assessment, 97 percent reported to be implementing measures to adjust capacity (Table 49). The most prevalent methods were using key fleet and vessel characteristics (82 percent) and using potential fishing effort generated by the fleet (71 percent) (Table 50).

41. Of the Members that have launched a preliminary fishing capacity assessment, 45 percent reported to having developed a National Plan of Action for the Management of Fishing Capacity (NPOA-Capacity). Of those having developed an NPOA-Capacity, using a 1-5¹² scale, Members reported an above average degree of implementation with regard to policy (4.12), legislation (4.47) and institutional framework (4.29) and an average degree of implementation with regards to operations and procedures (4.00) (Table 51).

42. Fifty-five percent of Members identified fishing overcapacity as a problem. Of these, 95 percent have taken steps to prevent further build-up of overcapacity. The most prominently steps reported were: limited entry regimes (76 percent) and freeze on number of vessels/licenses (52 percent) (Table 52). Furthermore, 95 percent reported to be taking steps to reduce overcapacity, with the most prominent being capacity-oriented vessel replacement rules (31 percent) and monitoring and research into fishing overcapacity (29 percent) (Table 53). Ninety-five percent of those who identified overcapacity as a problem also took steps to prevent it from causing further negative impacts on stocks, with the most prominent measures remaining seasonal closures of particular fisheries (57 percent) and spatial closures (50 percent) (Table 54).

43. Fifty-three percent of Members reported that sharks were caught either through targeted fisheries or bycatch, 7 percent more than reported in 2020 (Table 55). In the States where this was occurring, of those that conducted an impact assessment (76 percent), 100 percent concluded the need of a National Plan of Action for the Conservation and Management of Sharks (NPOA-Sharks) (Table 55). Of those having developed an NPOA-Sharks, using a 1-5¹³ scale, Members reported an average degree of implementation with regard to policy (3.96) and an above average degree of implementation with regard to legislation (4.14), institutional framework (4.21), and operations and procedures (4.07) (Table 56).

44. Eighty-two percent of Members reported that longline, trawl and/or gillnet fishing was conducted in waters under their jurisdiction, and of these 51 percent conducted an assessment of said fisheries. Seventy-two percent of these assessments concluded that a National Plan of Action for Reducing Incidental Catch of Seabirds (NPOA-Seabirds) was needed (Table 57), and of those 61 percent reported having developed an NPOA-Seabirds. Of those that had implemented an NPOA-Seabirds, using a 1-5¹⁴ scale, Members reported an above average degree of implementation with regard to policy (4.36), legislation (4.14), institutional framework (4.36), and operations and procedures (4.21) (Table 58).

45. Members were asked about mitigation measures with regard to seabirds and fisheries. Of the Members who reported to be conducting longline fisheries (75 percent), and trawl and/or gillnet fisheries (69 percent), 67 and 66 percent applied mitigation measures, respectively. The most prominent mitigation measures in both cases were legal framework improvements and observer programmes (Tables 59 and 60).

46. Members were invited to respond to questions relating to IUU fishing. Eighty-three percent of Members reported that IUU fishing was perceived as a problem. Sixty-seven percent of Members reported to have developed a National Plan of Action to Prevent, Deter and Eliminate IUU Fishing (NPOA-IUU). Of those that had implemented an NPOA-IUU, using a 1-5¹⁵ scale, Members reported an above average degree of implementation with regard to policy (4.17), legislation (4.26), institutional framework (4.13) and an average degree of implementation with regard to operations and procedures (4.00) (Table 61). The most prominent measures taken to prevent, deter and eliminate IUU fishing were legal framework improvements (79 percent), and improved coastal State controls and MCS (76 percent) (Table 62).

¹² Members were asked to rate the extent of implementation from “1” being “Not at all” to “5” being “Fully”.

¹³ Members were asked to rate the extent of implementation from “1” being “Not at all” to “5” being “Fully”.

¹⁴ Members were asked to rate the extent of implementation from “1” being “Not at all” to “5” being “Fully”.

¹⁵ Members were asked to rate the extent of implementation from “1” being “Not at all” to “5” being “Fully”.

47. Eighty-eight percent of Members¹⁶ reported to have ratified, accepted or acceded to the United Nations Convention on the Law of the Sea (UNCLOS)¹⁷, with a further 25 percent of the remaining Members reporting to have initiated the process to doing so. Using a 1-5¹⁸ scale, Members reported a higher degree of implementation compared to 2021 with regard to policy (4.18), legislation (4.21), institutional framework (4.12), and operations and procedures (4.09) (Table 63).

48. Fifty-nine percent of Members reported to have ratified, accepted or acceded to the Agreement on Port State Measures (PSMA)¹⁹, with a further 48 percent of the remaining Members reporting to have initiated the process to doing so. Using a 1-5²⁰ scale, Members reported an average degree of implementation of the Agreement with regard to policy (3.47), legislation (3.57), institutional framework (3.51), and operations and procedures (3.54). As per the requirements of the Agreement, 65 percent reported having designated ports and contact points (Tables 64 and 65).

49. Members were invited to report on the implementation of their flag State responsibilities. Fifty-nine percent of Members reported to have ratified, accepted or acceded to the Compliance Agreement²¹, with a further 22 percent of the remaining Members reporting having initiated the process to doing so. Using a 1-5²² scale, Members reported an average degree of implementation of the provisions of the Agreement and/or flag State responsibilities with regard to policy (3.48), legislation (3.56), institutional framework (3.56), and operations and procedures (3.52) (Table 66). Thirty-eight percent of Members reported to have undertaken an assessment of its performance as flag State in accordance with the FAO Voluntary Guidelines of Flag State Performance, with 74 percent of the remaining intending to do so in the future (Table 67).

50. Seventy-four percent of Members reported to be supplying a record of fishing vessels operating on the High Seas, 14 percent more than in 2020. Eighty-five and 88 percent, respectively, reported to be ensuring that their vessels were not engaged in activities undermining conservation and management measures and that their vessels were providing all necessary information to fulfil its obligations as flag State. Sixty-nine percent of Members reported that they had a fisheries access agreement prior to fishing in another coastal State (Table 67).

51. Thirty percent of Members reported to conducting deep sea fisheries in the High Seas. Of those that were conducting these fisheries, using a 1-5²³ scale, Members reported an above average degree of implementation of the FAO International Guidelines for the management of Deep-sea Fisheries in the High Seas with regard to policy (4.22), legislation (4.30), institutional framework (4.30), and operations and procedures (4.26) (Table 68).

52. Sixty-six percent of Members reported that they were aware of the Strategy for Improving Information on Status and Trends of Capture Fisheries (Strategy-STF), and 92 percent of Members are implementing Strategy-STF plans and programmes, including components to improve data collection, including components to improve data collection (98 percent), data analysis (96 percent), and data dissemination (91 percent) (Table 69).

¹⁶ EU and its Member States reported a response to this section.

¹⁷ UN Convention of the Law of the Sea of December 1982.

¹⁸ Members were asked to rate the extent of implementation from “1” being “Not at all” to “5” being “Fully”.

¹⁹ 2009 FAO Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing.

²⁰ Members were asked to rate the extent of implementation from “1” being “Not at all” to “5” being “Fully”.

²¹ 1993 FAO Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas.

²² Members were asked to rate the extent of implementation from “1” being “Not at all” to “5” being “Fully”.

²³ Members were asked to rate the extent of implementation from “1” being “Not at all” to “5” being “Fully”.

53. Sixty-seven percent of Members reported being aware of the Strategy for Improving Information on Status and Trends of Aquaculture (Strategy-STA), and 88 percent declared that related plans and programmes are being implemented. Of these, 95, 93 and 88 percent reported to include components to improve data collection, data analysis and data dissemination, respectively (Table 70).

I. Small-Scale Fisheries²⁴

54. Overall, small-scale fisheries (SSF) was reported taking place in 90 percent of Members' fisheries. On average and like in 2020, Members responded that SSF represented between 41 percent and 50 percent of both the volume and value of the total catch, lower than the 51 to 50 percent reported in 2015 and 2018. Respondents within the regions reporting the highest average ratio of SSF to total catch by volume are found in the Near East (81 percent to 90 percent), followed by Latin America and the Caribbean (51 percent to 60 percent). In terms of value, Near East again reported the highest average ratio of SSF to total catch by value (81 percent to 90 percent), again followed by Latin America and the Caribbean (51 percent to 60 percent). The overall average response given by Members on the proportion of people involved in SSF to that of the total in fisheries remained between 61 and 70, as in 2015, 2018 and 2020, with the regions showing the highest average proportion again being the Near East at 91 percent to 100 percent and Latin America and the Caribbean at 71 percent to 80 percent (Table 73).

55. The availability of information about employment in SSF activities by gender and employment status remains limited. For full-time employment more information, including gender disaggregation, is provided than for part-time, occasional and unspecified employment. In full-time employment all regions reported to have a higher percentage of men than women involved in fishing activities. As in 2015, 2018 and 2020, the only cases where women were reported to make up a higher percentage of men under full-time employment were in post-harvest activities, and in 2022 this was the case in Africa, Asia and in the Southwest Pacific (Table 74).

56. Small-scale fisheries (SSF) are reported as being legally defined by 42 percent of the Members and informally defined, and therefore not legally supported, by 29 percent. Compared to 2020, the percentage of countries that reported to have a legal definition for SSF was higher, particularly through increases in Asia and Latin America and the Caribbean. Seventy-two percent of the respondents that do have a legal or informal definition for SSF and 48 percent of those that do not have one reported intending to either review it or introduce it through a multi-stakeholder process as foreseen in the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication as compared to only 29 percent in 2020 (SSF Guidelines) (Table 75).

57. Ninety-three percent of those having defined SSF reported collecting sector-specific data. Data collected by Members concerned the volume of production (91 percent), value of production (73 percent), employment (60 percent), trade (50 percent) and consumption (21 percent) (Table 76).

58. Seventy-four, 76, 77, and 65 percent of Members reported having introduced or developed policies, laws, regulations, plans or strategies targeting or addressing SSF, respectively (Table 77).

59. Members were asked if they had specific initiatives to implement the SSF Guidelines. Fifty-five percent of the Members responded positively, whilst 42 percent reported that they intended doing so in the future. Initiatives already in place were most prominently related to supporting SSF actors to take an active part in sustainable resource management (95 percent), enhancing SSF value chains, post-harvest operations and trade and implementing capacity development of fisheries organizations and other stakeholders (*ex aequo* at 90 percent) (Table 78). The most prominent constraints encountered by Members in implementing such initiatives were the lack of appropriate financial resources (81 percent), insufficient coordination with other related administrations, (52 percent), limited public awareness of importance of SSF and lack of organizational structures among small-scale fishers and fish workers (*ex aequo* at 48 percent) (Table 79). Opportunities to implement the SSF Guidelines were mainly identified in the existing enabling legal, regulatory and policy

²⁴ The EU responded on behalf of its Member States to questions under this header.

framework (69 percent), in the involvement of small-scale fishers and fish workers in decision-making processes (67 percent), in the context of on-going/planned projects, programmes and initiatives and the possibility of involving small-scale fishers and fish workers in fisheries management (*ex aequo* at 64 percent) (Table 81).

60. Mechanisms through which small-scale fishers and fish workers can contribute to decision-making processes have been reported to exist for 86 percent of the respondents. The most common mechanisms include mechanisms for involving fishers and fish workers in data collection and research (87 percent) and for involving small-scale fisheries in fisheries management (85 percent). Out of the Members who responded to have mechanisms in place, 84 percent reported encouraging the active participation of women, 16 percent more than in 2020 (Table 81).

J. Constraints and suggested solutions

61. Eighty-seven percent of Members reported that they faced some constraints in implementing the Code of Conduct for Responsible Fisheries. The top constraints were related to insufficient budgetary (67 percent) and human (48 percent) resources, followed by incomplete policy and/or legal frameworks (31 percent) and inadequate scientific research statistics and access to information (27 percent) (Table 71).

62. The top-ranking solutions proposed by Members to counter constraints faced in implementing the Code were: access to more budgetary means (64 percent), more training and awareness raising (36 percent), access to human resources (34 percent), and improvement of institutional structure and collaboration (28 percent) (Table 72).

63. Members²⁵ were invited to report on which FAO technical guidelines they have received. The most widely available include the Ecosystem Approach to Fisheries (77 percent), Fisheries Management (74 percent) and the Implementation of the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (IPOA-IUU) (73 percent) (Table 82).

II. ACTIVITIES OF REGIONAL FISHERY BODIES AND NON-GOVERNMENTAL ORGANIZATIONS

A. Regional fishery bodies

64. Thirty-two regional fishery bodies (RFBs)²⁶ responded to the questionnaire on the implementation of the Code and related instruments, reflecting a five percent decrease in participation in comparison to 2020.

65. The number of contracting parties of responding RFBs varied between 2 and 52, with an average of 14 contracting parties. Close to half of the RFBs have cooperating non-contracting parties, ranging from 1 to 28, while over two-thirds of them have observers.

²⁵ The EU and its Member States responded to this section.

²⁶ Agreement on the Conservation of Albatrosses and Petrels (ACAP), Asia-Pacific Fishery Commission (APFIC), Benguela Current Convention (BCC), Bay of Bengal Programme - Inter-Governmental Organization (BOB-IGO), Central Asian and Caucasus Regional Fisheries and Aquaculture Commission (CACFish), Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), Commission for the Conservation of Southern Bluefin Tuna (CCSBT), Ministerial Conference on Fisheries Cooperation among African Countries Bordering the Atlantic Ocean (COMHAFAT), European Inland Fisheries and Aquaculture Advisory Commission (EIFAAC), Fisheries Committee for the West Central Gulf of Guinea (FCWC), Inter-American Tropical Tuna Commission (IATTC), International Commission for the Conservation of Atlantic Tunas (ICCAT), International Whaling Commission (IWC), Joint Technical Commission for the Argentina/Uruguay Maritime Front (COFREMAR), Lake Chad Basin Commission (LCBC), Lake Victoria Fisheries Organization (LVFO), Mekong River Commission (MRC), Network of Aquaculture Centres in Asia-Pacific (NACA), North Atlantic Marine Mammal Commission (NAMMCO), North Pacific Fisheries Commission (NPFC), Northeast Atlantic Fisheries Commission (NEAFC), Northwest Atlantic Fisheries

66. RFBs include diverse subjects in their mandates. Seventy-two percent of respondents reported having a primary mandate of fisheries management, 47 percent being advisory, 47 percent in scientific/research and 31 percent in environmental and biodiversity conservation.

67. Twenty convention areas of responding RFBs include EEZs and 20 cover areas beyond national jurisdiction (ABNJ), whilst nine cover inland waters. Most RFBs cover more than one of these areas; three include EEZs, ABNJ and inland waters, while 14 others cover both EEZs and ABNJ.

68. Fifty-nine percent of responding RFBs report having adopted binding measures. Since 2010, nine of them have adopted more than 30 binding measures; one has adopted between 21 and 30 measures; six between 11 and 20; and three between one and ten. Eighty-one percent of responding RFBs report having adopted non-binding measures. Out of these, since 2010, seven have adopted more than 30 non-binding measures; one between 21 and 30; nine between 11 and 20; and nine between one and ten non-binding measures.

69. With regards to fisheries management plans specifically concerning marine capture fisheries, the measures most commonly included within RFB management plans concern the prohibition of destructive fishing methods and practices (66 percent), ensuring the level of fishing is commensurate with the state of fishery resources and those that address the protection of endangered species (*ex aequo* at 59 percent). In comparison, the least included measures were those addressing fishing capacity including the economic conditions under which the fishing industry operates and the interests and rights of small-scale fishers (*ex aequo* at 38 percent).

70. Based on the 24 RFB responses, the most prominent topics in inland capture fisheries management plans included prohibiting destructive fishing methods, addressing the interests and rights of small-scale fishers, and providing for stakeholder's participation in determining management decisions.

71. Sixty-nine percent of RFB respondents reported having taken steps to ensure that only fishing operations in accordance with their adopted fisheries management plans are conducted within their area of competence. Eighty-eight percent of RFBs reported that the precautionary approach had been applied to the management of fisheries resources within their area of competence. In the last two years, almost 68 percent have either taken or strengthened measures to limit bycatch and discards.

72. Data sources most used by RFBs in fisheries management include historical data (87 percent), routine data collection (77 percent), in-port / landing site sampling surveys, discard and/or bycatch monitoring, and FAO and/or other organizations' statistics (*ex aequo* at 65 percent).

73. Twenty-four out of the 32 RFBs (75 percent) reported that reliable estimates of the status of fishery stocks have been obtained within the last three years, covering a total of 323 stocks²⁷. Eight RFBs reported having estimates for over 80 percent of the stocks considered important, nine have estimates between 41 percent to 80 percent, three have estimates for between 21 percent and 40 percent and three have estimates for less than one percent. One RFBs did not have an approximate figure.

74. Seventeen RFBs reported that they had developed at least one TRPs, with the cumulative total coming to 156 stocks²⁸. Of these, 71 percent of RFBs reported that one or more TRPs had been approached, while 47 percent reported that one or more TRPs had been exceeded, in comparison to 62 percent approached and 57 percent in 2020. Catch and effort indicators were by far the most popular alternative to the use of TRPs and applied by 64 percent of RFBs which did not develop TRPs, followed by validated stakeholder knowledge and ecosystem indicators (*ex aequo* at

Organization (NAFO), Pacific Salmon Commission (PSC), North Pacific Marine Science Organization (PICES), Secretariat of the Pacific Community (SPC), South Pacific Regional Fisheries Management Organization (SPRFMO), Southeast Asian Fisheries Development Center (SEAFDEC), Southeast Atlantic Fisheries Organization (SEAFO), Southern Indian Ocean Fisheries Agreement (SIOFA), Southwest Indian Ocean Fisheries Commission (SWIOFC), Western Central Atlantic Fishery Commission (WECAFC), and Western Central Pacific Fisheries Commission (WCPFC).

²⁷ Estimates may have been developed for the same stocks by different RFBs.

²⁸ TRPs may have been developed for the same stocks by different RFBs.

36 percent). As was the case in 2015, 2018 and 2020 reporting, limiting fishing effort and carrying out research (*ex aequo* at 100 percent) are the highest reported mitigation measures when TRPs are exceeded.

75. Thirteen of the responding RFBs reported having established requirements for the implementation of VMS for the entire fishing fleet, while another eight have requirements in place for a portion of the fishing fleet. None of these reported having VMS implementation problems. Of those with requirements in place for VMS on their fishing fleet, over half reported that between 91 and 100 percent of their members are in line with the implementation of these requirements. Of the remaining RFBs, three reported compliance ranging between 71 and 90 percent, three reported between 21 percent and 40 percent compliance, and three reported that they did not know.

76. Capacity Building (59 percent) was the most common effort of RFBs to assist in the implementation of the IPOA-Capacity, followed by conducting an assessment of fishing capacity (45 percent). Conducting an assessment of the conservation and management of sharks was the most common activity to assist in the implementation of IPOA-Sharks (48 percent), followed by capacity building (38 percent). RFBs engaged in supporting the implementation of the IPOA-Seabirds, did so most commonly by conducting an assessment of impact on incidental catch of seabirds in longline fisheries (38 percent), followed by the publication of relevant documents and media (28 percent).

77. Several RFBs contributed to the implementation of the IPOA-IUU, mainly through initiatives aimed at: strengthening and developing innovative ways to prevent, deter and eliminate IUU fishing (62 percent) and enhancing cooperation in the exchange of information on vessels involved in IUU fishing (59 percent).

78. With regards to the Strategy-STF, RFBs mainly assisted through the application of research to enhance the availability of scientific evidence to support conservation, management and sustainable use of fishery resources (66 percent) followed by the adoption of processes which improve the availability of information on STF (62 percent).

79. RFBs to which aquaculture was relevant reported on the steps taken to ensure that their members have in place procedures of good aquaculture practices. The procedures reported related to: monitoring of aquaculture operations (addressed by 11 RFBs), minimizing the harmful effects of the introduction of non-native species or genetically altered stocks used for aquaculture (addressed by 10 RFBs), and environmental assessments of aquaculture operations (addressed by 10 RFBs). Almost all of these RFBs indicated that these procedures required improvement in order to become effective. Areas that were most commonly reported to require improvements were institutional technical capacity, legal frameworks, periodicity, and carrying out more research.

B. Non-governmental Organizations

80. Only six non-governmental organizations (NGOs)²⁹ responded to the questionnaire on the implementation of the Code and related instruments, compared to 13 in 2020.

81. NGOs were invited to rank their perception of the relevance of the ten objectives of the Code for the achievement of sustainable fisheries and aquaculture. The most highly ranked were objectives (c)³⁰, (a)³¹ and (b)³²; the lowest ranked objective was (f)³³.

²⁹ Federation of European Aquaculture Producers (FEAP), International Coalition of Fisheries Associations (ICFA), International Seafood Sustainability Association (ISSA), Marine Stewardship Council (MSC), Network of Aquaculture Centres in Central-Eastern Europe (NACEE), and Pew Charitable Trusts (PCT).

³⁰ Objective c) Serve as an instrument of reference to improve legal and institutional framework for appropriate management measures.

³¹ Objective a) Establish principles for responsible fishing and fisheries activities considering all their relevant biological, technical, economic, social, environmental and commercial aspects.

³² Objective b) Establish principles and criteria to implement policies for the conservation of fishery resources and fisheries management and development.

³³ Objective f) promote the contribution of fisheries to food security and food quality, giving priority to the nutritional needs of local communities.

82. Of the eight substantive themes developed in the Code and in the relevant FAO Technical Guidelines for Responsible Fisheries, the themes most identified as top priority by NGOs was fisheries management, followed by fishing operations, fisheries research and inland fisheries development; the theme most identified as a low priority was post-harvest practices.

83. The main constraints identified by NGOs for the implementation of the Code related to incomplete policy and/or legal frameworks and institutional weakness, which have been considered as most important constraints in all surveys since 2013. The main suggested solutions were improving institutional and organizational structures and collaboration, also considered the main solution in 2015 and 2018, and aligning policy and/or legal frameworks with the Code.

84. The activities NGOs considered to be most effective in making the Code more widely known and understood were similar to those identified in 2020, 2018, 2015 and 2013, including, the organization and/or hosting of national and international workshops, the promotion of standards based on the Code, and the publication of books and other information material.

85. NGOs were invited to provide their opinion on measures within existing country and/or RFB marine and inland fisheries management plans. Measures that were most reported to be already existent within marine and inland fisheries management plans were those aiming or addressing to prohibit destructive fishing methods and practices, the protection of endangered species and the interests and rights of small-scale fishers. With regard to measures most considered to be lacking within existing management plans views differed. Within marine fisheries, measures considered to be missing by individual respondents were those addressing the selectivity of fishing gear, ensuring the level of fishing is commensurate with the state of fisheries resources, addressing fishing capacity including the economic conditions under which the fishing industry operates, and addressing the biodiversity of aquatic habitats and ecosystems, including identifying essential fish habitats. In the case of inland fisheries, it was those ensuring the level of fishing is commensurate with the state of fisheries resources.

86. Only four NGOs provided an opinion on whether most countries had adequate procedures in place to undertake environmental assessments of aquaculture operations, monitor aquaculture operations, or minimize the harmful effects of the introduction of non-native species or genetically altered stocks used for aquaculture, with an equal number of positive and negative views. Previously, a large majority of the NGOs responded that most countries did not have procedures in place. The two NGOs that considered that Members did have such procedures in place, responded that in their opinion, the procedures required improvements to ensure their effectiveness.

87. Of the five responding NGOs that were invited to report on their efforts to assist implementation of the IPOAs and Strategy-STF, four reported assisting in the implementation of IPOA-Capacity and the Strategy-STF each, and three each in the implementation of the IPOA-IUU IPOA-sharks. In 2020 with a higher number of responding international NGOs, the IPOA-IUU had received most support for its implementation.