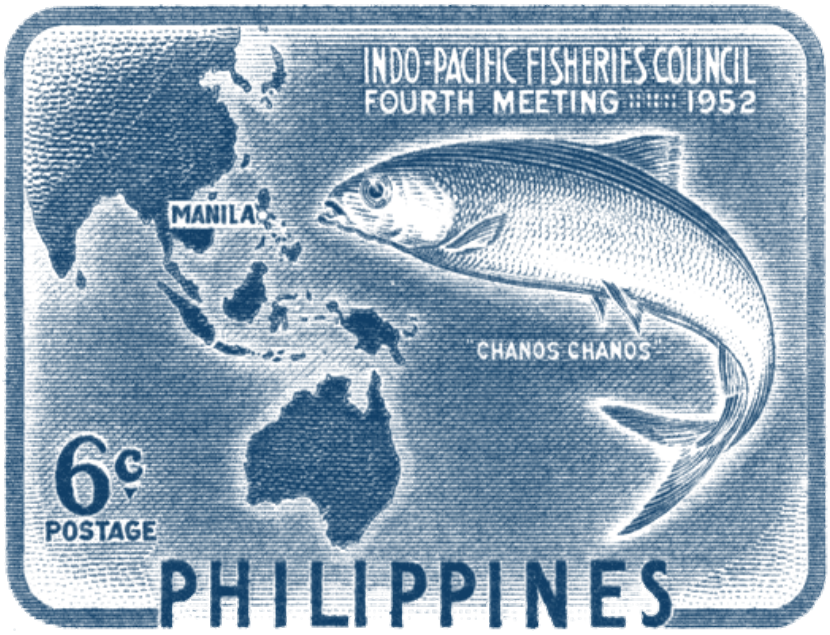
Food and Agriculture Organization of the United Nations

ASIA-PACIFIC FISHERY COMMISSION (APFIC)

Report of the First Meeting of the Ad Hoc Working Group on the Future of APFIC Virtual meeting, 18–19 August 2021

and

Report of the Second Meeting of the Ad Hoc Working Group on the Future of APFIC Virtual meeting, 24–25 February 2022



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Virtual meeting, 18–19 August 2021

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Cover photo: Commemorative stamps celebrating the fourth meeting of the Indo-Pacific Fisheries Council held in Quezon City, the Philippines, 3 October–7 November 1952

Preparation of this document

The 36th Session of the Asia-Pacific Fishery Commission (APFIC) recognized the pressing issues of financial unsustainability and FAO's declining willingness and ability to provide regular programme funding for commission activities. The session was appraised of the principal issues and some preliminary ideas of possible means to streamline planning and seek financial resourcing of APFIC-related work and activities. It recommended the establishment of an 'ad hoc working group on the future of APFIC' to look into the issues and possible options to advise the commission on its future. Two meetings of the 'ad hoc working group on the future of APFIC' were convened virtually (18–19 August 2021, 24–25 February 2022). This document contains the reports which summarize the discussions, findings and recommendations of these two meetings.

ABSTRACT

The Asia-Pacific Fishery Commission (APFIC) was established in 1948 and has undergone various reforms since then to adapt to the changing international governance of fisheries as well as reforms in the function and resourcing of FAO's regional fishery bodies. This gradually induced a major crisis in the commission's ability to develop and execute a work programme for servicing its Members. The 36th Session of the Asia-Pacific Fishery Commission, held in May 2021, recognized the pressing issues of financial unsustainability and FAO's declining willingness and ability to provide Regular Programme funding for commission activities. It recommended the establishment of an 'ad hoc working group on the future of APFIC' to analyse issues and explore possible options to advise the commission on its future.

The ad hoc working group convened virtually from 18 to 19 August 2021 and from 24 to 25 February 2022. The second meeting was attended by 39 representatives of 17 Member Nations of the commission and the APFIC Secretariat. This document contains the reports which summarize the discussions, findings and recommendations of these two meetings and will be presented to the 37th Session of the Commission to support its deliberations on the findings of the ad hoc working group.

The report of the first meeting covered the development of the terms of reference of the ad hoc working group, the workplan and the finalization of a Member Nation questionnaire. The report of the second meeting reviewed the situation that limits the effective function of APFIC, Member Nation responses to the questionnaire and feedback from the secretariats of regional fishery bodies in the APFIC region.

The ad hoc working group recognized that there is now sufficient regional organization coverage to replace the work of APFIC within its area. It considered that currently the commission does not use the scarce financial resources of both FAO and Member Nations efficiently and constitutes minimal value addition, beyond the regular work of FAO for its Members. It agreed that adequate financial resourcing is critical for the effective functioning of an organization and acknowledged that continuation of the commission's activities and for the commission to effectively fulfil its function requires adequate resourcing for its work programme.

The ad hoc working group noted that suspension of the commission will enable FAO (and the APFIC Secretariat) to focus support on the FAO programme for its Members in the region. It also emphasized that suspension of commission activities should not be interpreted as undermining efforts of FAO and APFIC Member Nations to increase cooperation in the fisheries sector in the region, including those related to relevant FAO programmes.

In a majority, the ad hoc working group recommended to support temporary suspension of the commission, in the light of questionnaire responses and the limited prospects for identifying financial resources for the activities of the commission. It prepared a draft resolution regarding suspension for consideration by the 37th session and recommended that suspension of the commission should be for a period five years. Noting that some Member Nations supported continuation, the ad hoc working group also prepared a draft resolution for continuation of the activities of the commission, should this be the decision of the 37th session. The text of this resolution incorporates specific reference to the establishment of a financial arrangement to support the work programme of the commission.

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Abbreviations and acronyms

AIFIC	Aquaculture and Inland Fisheries Committee
APFIC	Asia-Pacific Fishery Commission
ASEAN	Association of Southeast Asian Nations
APEC	Asia-Pacific Economic Cooperation
ASWGFi	ASEAN Fishery Working Group Fisheries
BIMSTEC	The Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation
BOBC	Committee for the Development and Management of Fisheries in the Bay of Bengal
BOBP-IGO	Bay of Bengal Programme Inter-Governmental Organisation
COBSEA	Coordinating Body on the Seas of East Asia
COFI	FAO's Committee on Fisheries
COMAF	Committee on Marine Fisheries
EEZ	Exclusive economic zone
FAO	Food and Agriculture Organization of the United Nations
GEF	Global Environment Facility
GFCM	General Fisheries Commission for the Mediterranean
ICM	Integrated coastal management
ICSF	International Collective in Support of Fishworkers
INFOFISH	The Intergovernmental Organization for Marketing Information and Technical Advisory Services for Fishery Products in the Asia and Pacific Region
IOFC	Indian Ocean Fishery Commission
IOTC	Indian Ocean Tuna Commission
IPFC	Indo-Pacific Fishery Council
IRC	International Rice Commission
IUCN	International Union for Conservation of Nature
LoA	Letter of Agreement
LDC	Least developed country
MPA	Marine protected area
MRC	Mekong River Commission
NACA	Network of Aquaculture Centres in Asia-Pacific
NOAA	National Oceanic and Atmospheric Administration
NFI	FAO Fisheries and Aquaculture Division

OFWG	Ocean and Fisheries Working Group (APEC)
PEMSEA	Partnerships in Environmental Management for the Seas of East Asia
PRF	PEMSEA Resource Facility
RAP	FAO's Regional Office for Asia and the Pacific
RCF	Regional consultative forum
RFB	Regional fishery body
RFMO	Regional fishery management organization
RPOA-IUU	Regional Plan of Action in Combatting Illegal, Unreported and Unregulated Fishing
SAARC	The South Asian Association for Regional Cooperation
SACEP	South Asia Co-operative Environment Programme
SDS-SEA	Sustainable Development Strategy for the Seas of East Asia
SEAFDEC	Southeast Asian Fisheries Development Center
UNDP	United Nations Development Programme
UNEP	United Nations Environment Programme
WCPFC	Western Central Pacific Fisheries Commission

1. Report of the First Meeting of the Ad Hoc Working Group on the Future of APFIC

Virtual meeting, 18–19 August 2021

Opening of the meeting

1. The first meeting of the Ad Hoc Working Group on the Future of APFIC was held from 18 to 19 August 2021 in virtual mode.

2. The virtual session was attended by 30 representatives from 14 Member Nations and the APFIC Secretariat (Annex B).

3. The delegates were welcomed by Mr Simon Funge-Smith, Secretary of APFIC, FAO Regional Office for Asia and the Pacific. He requested delegates to provide clear guidance and perspectives on APFIC's future.

4. The Chair of the Commission, Mr Jin Xianshi, welcomed the delegates. He underscored the importance of fisheries and aquaculture among APFIC Member Nations. He then requested the APFIC Secretariat to explain the protocol and procedures of the meeting. The representatives from each APFIC Member Nation were introduced.

Adoption of the agenda

5. The ad hoc working group adopted the agenda (APFIC/ADWG/21/02) and agreed on the arrangements for the preparatory meeting. See Annex A for agenda details.

6. The documents considered and reviewed by the ad hoc working group are listed in Annex C.

Overview of the Asia-Pacific Fishery Commission and its challenges as an FAO regional fishery body; why the ad hoc working group was convened.

7. The APFIC Secretariat introduced document APFIC/ADWG/21/02.

8. This summarized the establishment of APFIC in 1948 preceding the establishment of the FAO Committee on Fisheries in 1965, the subsequent establishment of a range of regional fishery bodies with overlapping mandates and their functions with the commission, the FAO Conference Decisions affecting the financing of the commission, as well as other challenges faced by the commission in directing and resourcing its work programme.

9. The ad hoc working group thanked the secretariat for the well-prepared background paper, appreciated the work of the commission and recognized that any decision on the future of APFIC must be achieved through consensus during the commission session.

10. The ad hoc working group requested additional information on the institutional and financial arrangements of other FAO Article XIV bodies in the report to support understanding of future options for the commission.

11. The secretariat informed the ad hoc working group that the Indian Ocean Tuna Commission (IOTC) and General Fisheries Commission for the Mediterranean (GFCM) were relevant examples of FAO Article XIV bodies with autonomous budgets and had specific mandates to develop conservation and management measures for stocks under their competence. It was further noted that the Article XIV body, the Animal Production and Health Commission for Asia and Pacific (APHCA) with its secretariat hosted by FAO's Regional Office for Asia and the Pacific (FAO RAP), was another possible model to consider, as it was primarily focused on information sharing and capacity building in the domain of regional animal health.

Adoption of the terms of reference of the ad hoc working group

12. The ad hoc working group reviewed its terms of reference (APFIC/ADWG/21/03).

13. The ad hoc working group endorsed the terms of reference with the following modified functions:

- Develop a review process to inform the commission of options for the future of APFIC.
- Undertake a preliminary review of the legal and financial implications of these options, including a possible mechanism for establishing a multidonor and/or multicountry trust fund project to support the work of the commission.
- Prepare a written report of the working group based on this review process for consideration and discussion at the 78th Executive Committee Meeting to provide advice to the commission on the future of APFIC.

Planning the consultation process with Member Nations

14. The ad hoc working group agreed on a submission date for the Member Nation questionnaire by the end of November, noting that some Member Nations may be challenged to do this and submissions might be delayed until December 2021.

15. The ad hoc working group delegates agreed to act as focal points for assisting their agencies to complete and return the questionnaire to the secretariat within the time frame.

Member Nation questionnaire development

16. The ad hoc working group reviewed the draft questionnaire to be circulated to APFIC Member Nations (APFIC/ADWG/21/04).

17. The ad hoc working group requested that the analysis of responses by Member Nations to the questionnaire would be presented anonymously and that specific country responses would not be indicated. The secretariat agreed to add additional text to the questionnaire stating this.

18. The ad hoc working group agreed that the questionnaire would be circulated by the secretariat to the usual APFIC focal point, with copies to the delegates/heads of delegations to the ad hoc working group.

19. The ad hoc working group requested some modifications to the questionnaire. The revised questionnaire is provided in Annex F:

- Include a comments section for responses to item 5.
- Regular session in Q2 to include an option for rotation of the chair in alphabetical order, with the chair country making a decision to conduct the session face-to-face, hybrid or in virtual mode.
- To include an option under workshops, capacity building and technical meetings to be proposed and funded by a Member Nation, and endorsed for the biennial work programme by the commission at its regular session.

20. The ad hoc working group requested a short one-page summary on APFIC's role as an Article XIV body and its achievements between 2001 and 2019, to facilitate completion of the questionnaire by the Member Nations.

21. The ad hoc working group further requested some examples of the advantages and disadvantages associated with the various options relating to an intergovernmental body to be operated and funded by its Member Nations.

Consultation with regional fishery bodies

22. The ad hoc working group reviewed the semistructured survey questions to be used in consultations with the secretariats of regional fishery bodies (RFBs) to APFIC Member Nations (APFIC/ADWG/21/05).

23. The ad hoc working group noted that the secretariats of RFBs would not be able to respond to the survey questions as formulated because they would have to consult with their Member Nations. The ad hoc working group recommended that the APFIC Secretariat engage in informal discussions on potential technical areas of collaboration or cooperation with the RFBs.

24. The ad hoc working group further requested that Member Nations should be provided with a summary of these discussions prior to their submission of the Member Nation questionnaire.

Workplan and timeline for analysis of results and review by Member Nations

25. The ad hoc working group endorsed the workplan and timeline with minor modifications. These are provided in Annex D.

- The summary of the discussions with regional organizations be provided to the Member Nations prior to their submission of the questionnaire.
- An FAO legal officer participates in the second meeting of the ad hoc working group in 2022 and the 37th session in 2023 to assist in advising Member Nations on the options.

Agenda and date of the second meeting of the ad hoc working group

26. The ad hoc working group agreed to the proposed agenda for its second meeting. This is provided in Annex E.

27. It was agreed that the second ad hoc working group would meet from 24 to 25 February 2022.

Other matters

28. There were no other matters.

Adoption of the recommendations

29. The ad hoc working group adopted the recommendations contained in this report on 19 August 2021.

Annex A: Agenda and timetable

Session 1: 10.00–13.00, 18 August 2021 (Bangkok, UCT +7)

10.00–10.10 Opening of the meeting

10.10–10.25 Introduction of the ad hoc working group participants

10.25–10.30 Adoption of the agenda

10.30–11.15 Overview of the Asia-Pacific Fishery Commission and its challenges as an FAO regional fishery body; why the ad hoc working group was convened

11.15–11.30 Short break

11.30–12.00 Adoption of the terms of reference of the ad hoc working group

12.00–12.30 Planning the consultation process with Asia-Pacific Fishery Commission Member Nations

12.30–13.00 Questionnaire survey development

Session 2: 10.00–13.00, 19 August 2021 (Bangkok, UCT +7)

10.00–10.45 Questionnaire survey development (cont.)

10.45–11.15 Workplan and timeline for analysis of results and review by Member Nations

11.15–11.30 Short break

11.30–12.00 Agenda for the second meeting of the ad hoc working group

12.00–12.15 Date of the second meeting of the ad hoc working group

12.15–12.45 Other matters

12.45–13.00 Adoption of the recommendations

Annex B: List of participants

Australia
Rebecca Sellers
Acting Assistant Director
Multilateral and Recreational Fisheries Section

Bangladesh

Cambodia
Kaing Khim
Deputy Director General of Fisheries Administration (FiA)
Phnom Penh

China
Jin Xianshi (Chair)
Director of Yellow Sea Fisheries Research Institute
Chinese Academy of Fishery Sciences

Zhao Liling
Second Counsel
Fishery Administration
Ministry of Agriculture and Rural Affairs

Jing Ying
Fourth-Level Researcher
Fishery Administration
Ministry of Agriculture and Rural Affairs

France

India
I A Siddiqui
Deputy Commissioner (Fisheries)
Department of Fisheries
Ministry of Fisheries, Animal Husbandry & Dairying

Indonesia
Sitti Hamdiyah
Secretariat General

Desie Yudhia R M
Directorate General of Aquaculture

Anindita Laksmiwati
Secretariat General

Djoko Arye Prasetyo
Directorate General of Captured Fisheries

Erna Yuniarsih
Directorate General of Aquaculture

Muhammad Febrianoer
Directorate General of Capture Fisheries

Andreas Mahardika
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Cooperation Analyst, Secretariat Directorate General of Aquaculture

Fathia Maryam Perdata
Foreign Service Officer
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Mustika Hanum Widodo
First Secretary
Embassy of the Republic of Indonesia in Bangkok

Japan
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Counsellor
Resources Management Department
Fisheries Agency

Sayako Takeda
Assistant Director
International Affairs Division
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Kento Otsuyama
Official
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Malaysia
Nur fadhlina Chan binti mahadie Chan
Senior Fisheries Officer
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Department of Fisheries Malaysia

Myanmar

Nepal
Ravi Lal Sharma
Senior Fisheries Development Officer
Fisheries Human Resource Development and
Technology Validation Centre

Sumitra Laudari
Senior Fisheries Development Officer
Central Fisheries Promotion and Conservation Center

New Zealand
Alastair Macfarlane
Senior International Advisor, International
Fisheries Management, International Policy and Trade
Ministry for Primary Industries

Pakistan

Philippines
Roy C Ortega
Officer-in-Charge
National Brackishwater Fisheries Technology Center

Republic of Korea
Jang Minju
Assistant Director
International Cooperation Division
Ministry of Oceans and Fisheries

Yang Jae-geol
Policy Analyst
Korea Overseas Fisheries Cooperation Center

Sri Lanka

Thailand
Pholphisin Suvanachai
Director of Fisheries Foreign Affairs Division
Department of Fisheries

Timor-Leste
Constancio da Silva
Head of Marine Spatial Planning (MSP) Department
Ministry of Agriculture and Fisheries

Viet Nam
Nguyen Thi Phuong Dzung
Director
Department of Science Technology and
International Cooperation

United Kingdom of Great Britain and Northern Ireland

United States of America

APFIC Secretariat
Simon Funge-Smith
Senior Fishery Officer
Secretary of Asia-Pacific Fishery Commission
FAO Regional Office for Asia and the Pacific

Susana Siar
Fishery and Aquaculture Officer
Fishery and aquaculture module
FAO Regional Office for Asia and the Pacific

Suriyan Vichitlekarn
Consultant
FAO Regional Office for Asia and the Pacific

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Consultant
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Annex C: List of documents

Working documents

Provisional agenda and timetable	APFIC/AHWG/21/01
Draft 'Overview background to the situation that limits the effective function of the Asia-Pacific Fishery Commission'	APFIC/AHWG/21/02
Terms of reference for the ad hoc working group	APFIC/AHWG/21/03
Draft questionnaire for Member Nations	APFIC/AHWG/21/04
Draft semistructured interview for regional fishery organizations	APFIC/AHWG/21/05

Information documents

List of documents	APFIC/AHWG/21/Inf 1
List of participants and observers	APFIC/AHWG/21/Inf 2
Procedures for the virtual ad hoc working group	APFIC/AHWG/21/Inf 3

Annex D: Workplan and timeline for analysis of results and review by Member Nations

Early September 2021	**Questionnaire sent to Member Nations**
September to early October 2021	Informal discussions with regional organizations – draft results summarized and circulated to Member Nations Consultation with the FAO Legal Office (LEGN) on legal implications
November 2021	Questionnaires returned by Member Nations
November to December 2021	Analysis of the responses and update of the background draft Preparation of draft options and working papers Consultation with the FAO Legal Office (LEGN)
February 2022	Second meeting of the ad hoc working group: Report prepared and cross-checked with the FAO Legal Office (LEGN)
2022 March/April TBD	Asia-Pacific Fishery Commission 78th Executive Committee Meeting: Recommendations of the working group reviewed, further recommendations/advice of the executive committee added Report of the second ad hoc working group circulated to Member Nations
May to June 2022	Report of the executive committee circulated to Member Nations
2023 TBD	The 37th Session of Asia-Pacific Fishery Commission considers advice of the ad hoc working group and 78th Executive Committee Meeting, provides its decisions.

Annex E: Draft agenda for the second meeting of the ad hoc working group, virtual workshop, 24–25 February 2022

Day 1: 24 February 2022 (11.00–14.00 UTC +7)

Agenda item 1: Opening of the second ad hoc working group

Agenda item 2: Short update on changes to the background review

Agenda item 3: Presentation results of regional organization interviews

Agenda item 4: Presentation of analysis of results (Member Nation questionnaires)

Day 2: 25 February 2022 (11.00–14.00 UTC +7)

Agenda item 5: Analysis of the options in the background review

Agenda item 6: Legal advice required for follow-up actions to enact identified options

Agenda item 7: Recommendation on options for the executive committee

Agenda item 8: Other follow-up actions required

Agenda item 9: Adoption of recommendations

Annex F: Questionnaire for Member Nations on the future of the Asia-Pacific Fishery Commission

联合国粮食及农业组织 | Food and Agriculture Organization of the United Nations | Organisation des Nations Unies pour l'alimentation et l'agriculture | Продовольственная и сельскохозяйственная организация Объединенных Наций | Organización de las Naciones Unidas para la Alimentación y la Agricultura | منظمة الأغذية والزراعة للأمم المتحدة

ASIA-PACIFIC FISHERY COMMISSION

Ad hoc working group on the future of APFIC

QUESTIONNAIRE FOR APFIC MEMBER NATIONS ON THE FUTURE OF APFIC

This questionnaire for Member Nations will be analysed by the APFIC Secretariat as part of the preparation of the working papers on the future of APFIC.

The results provided by countries will be presented anonymously and no country-specific responses will be reported.

Part 1: Establish Member Nation opinions about the relevance and value of the Asia-Pacific Fishery Commission

"Does APFIC actually perform its function?"

Article IV of the APFIC Agreement sets out the purpose and functions of APFIC as follows:

Article IV: Functions

The purpose of the commission shall be to promote the full and proper utilization of living aquatic resources through the development and management of fishing and culture operations and through the development of related processing and marketing activities in conformity with the objectives of its Member Nations, and to these ends it shall have the following functions and responsibilities:

(a) To keep under review the state of these resources and of the industries based on them.

(b) To formulate and recommend measures and to initiate and carry out programmes or projects to:

(i) increase the efficiency and sustainable productivity of fisheries and aquaculture;

(ii) conserve and manage resources; and

(iii) protect resources from pollution.

(c) To keep under review the economic and social aspects of fishing and aquaculture industries and recommend measures aimed at improving the living and working conditions of fishers and other workers in these industries and otherwise at improving the contribution of each fishery to social and economic goals.

(d) To promote programmes for mariculture and coastal fisheries enhancement.

(e) To encourage, recommend, coordinate and, as appropriate, undertake training and extension activities in all aspects of fisheries.

(f) To encourage, recommend, coordinate and undertake, as appropriate, research and development activities in all aspects of fisheries.

(g) To assemble, publish or otherwise disseminate information regarding living aquatic resources and fisheries based on these resources.

(h) To carry out such other activities as may be necessary for the commission to achieve its purpose as defined above.

Asia-Pacific Fishery Commission functions

1. Are these functions in Article IV still valid?

	Choose one	Justification for the response
Yes, the functions are still valid		
No, the functions are no longer valid		

2. If no – should they be modified, and what should be revised, removed or added?

Action	Comments
Revise function	
Remove function	
Add function	

3. What functions and services do APFIC Member Nations require from APFIC as a regional fishery body under FAO?

Comments

4. Are these functions substantially different from the functions of FAO? (**Note:** the development of programmes/projects is a function of FAO as these are implemented by FAO not APFIC as APFIC does not have an autonomous budget.)

Note: *The reality is that APFIC does not have an independent programme, as it does not have an independent budget, dedicated trust fund or independent secretariat. It is therefore entirely driven by resources that are leveraged from FAO regular programmes and FAO-executed projects.*

Yes	No	Comments

5. Are these functions discrete from, complementary to or duplicating, the work of other regional intergovernmental bodies or subsidiary bodies of economic cooperation arrangements that are competent for fisheries and aquaculture (or marine/freshwater environments) within the APFIC area? (Please only complete if you are a Member Nation of that body).

Intergovernmental arrangements	Comple-mentary	Overlapping/ duplicating	Discrete/ separate	Comments/reasons for response
SEAFDEC				
BOBP-IGO				
NACA				
INFOFISH				
IOTC				
WCPFC				
RPOA-IUU				
MRC				
COBSEA				
SACEP				
Economic cooperation arrangements	Comple-mentary	Overlapping/ duplicating	Discrete	Comments/reasons for response
ASEAN Fishery Working Group				
APEC Oceans and Fishery				
BIMSTEC				
SAARC				
Other intergovernmental arrangements	Comple-mentary	Overlapping/ duplicating	Discrete	Comments/reasons for response
Other (1) (please state name)				
Other (2) (please state name)				

6. Are these functions discrete from, complementary to or duplicate the work of other research organizations, civil society organizations, conservation bodies (not constituted under an intergovernmental agreement) that are competent or relevant for fisheries and aquaculture within the APFIC area?

Research organizations, civil society organizations, conservation bodies not constituted under an intergovernmental agreement	Comple-mentary	Overlapping/ duplicating	Discrete	Comments/reasons for response
WorldFish				
IUCN				
ICSF				
PEMSEA				

Other research organizations, civil society organizations, conservation bodies (not constituted under an intergovernmental agreement)	Comple-mentary	Overlapping/ duplicating	Discrete	Comments/reasons for response
Other (1) (please state name)				
Other (2) (please state name)				

7. Do these subregional/regional bodies and arrangements have sufficient coverage and capacity to replace APFIC's functions?

Note: *Some of the higher-level functions of APFIC fall within FAO's mandate. These are covered under FAO's regional and global cooperation programmes for capacity building, monitoring of resources, project/programme development. The overlapping functions with other competent regional arrangements are a strong justification for abolition (e.g. the Indian Ocean Fishery Commission, IOFC).*

Yes	No	Comments/reasons for response

Asia-Pacific Fishery Commission area of competence

Note: *The loosely defined area of competence, and lack of specific focus on any particular stocks or resources, is an additional barrier to establishing a clear function and focus for APFIC. This allows a general mandate to provide overviews of status or resources and issues in fishery and aquaculture, but constrains elaboration of management measures.*

"Can the Member Nations agree where APFIC should focus its work under its functions?"

ARTICLE VI: Area

The commission shall carry out the functions and responsibilities set forth in Article IV in the Asia–Pacific area.

Asia-Pacific Fishery Commission Strategic Plan, 2008–2012, endorsed by the 30th session

As currently stated in the APFIC Agreement, the commission shall carry out its functions and responsibilities in the Asia–Pacific area. Following significant discussion, it was suggested that practically and for the purposes of its work, APFIC's area could be described as follows: *"The EEZ waters of Member Nations in the Asian region and contiguous waters of northern Australia. In particular, the Large Marine Ecosystem areas of: the Bay of Bengal, South China Sea, Yellow Sea and the Sulu–Sulawesi Marine Eco-region and the Arafura–Timor Sea. Asian inland waters of the APFIC Member Nations".*

8. Do you agree with the interpretation that for the practical purposes of its work, the area of competence of APFIC as given in Article VI, (i.e. the Asia–Pacific area) shall cover the following subregional areas of the exclusive economic zone (EEZ) and territorial waters and contiguous high seas of the APFIC Member Nations, *"The EEZ waters of Member Nations in the Asian region and contiguous waters of northern Australia. In particular, the Large Marine Ecosystem areas of: the Bay of Bengal, South China Sea, Yellow Sea and the Sulu–Sulawesi Marine Eco-region and the Arafura–Timor Sea. Asian inland waters of the APFIC Member Nations".*

Note: *These areas have been endorsed in various resolutions of the FAO Council and the commission itself.*

Subregional area	Yes	No	Comments/reasons for response
The EEZ waters of Members in the Asian region and contiguous waters of northern Australia (exceptions: United States of America, France, United Kingdom and Northern Ireland and New Zealand)			
Bay of Bengal (this includes the *Andaman Sea, Straits of Malacca)*			
South China Sea (this includes the Gulf of Thailand, Natuna Sea, Beibu/Bac Bo Gulf)			
Sulu–Sulawesi ecoregion/Sulu–Celebes Sea			
Arafura–Timor Sea			
Yellow Sea			
Asian inland waters of APFIC Member Nations			

If no to all of the above, what should be a description of the area of competence for APFIC?

Comments

Part 2: Suspend or continue the work of the commission

1. Should APFIC Member Nations make a collective and clear decision on the future of APFIC to ensure that the commission is an effective regional body?

Option	Select one option	Go to question
Yes, a clear decision is needed		Go to question No. 2
No, a decision on the future is unnecessary at this time		Go to question No. 4

2. If yes, what is the preference?

Option	Select one option	Go to question
Suspend the activities of the commission		Next question No. 3
Continue the activities of the commission		Go to Part 3 'Options for the future of the commission'

3. If suspend – is this indefinitely or revisit after five years – with a view to reactivating or closing the commission.

Option	Select one option
Suspend indefinitely the activities of the commission	
Suspend activities and revisit after five years	

4. If no, please explain the reasoning for this response.

Comments

5. Please go to Part 3.

Part 3: Options for the future

1. If Member Nations agree to continue the activities of the commission, please provide yes/no on the options for the future mechanism for APFIC.

Option	Yes	No	Go to
As an FAO statutory body under Article XIV of the FAO Constitution, partially funded by its Member Nations (see short information note on Article XIV bodies appended).			Next question
As an independent intergovernmental body to be operated and funded by its Member Nations?			

2. Please provide yes/no and ranking in order or importance/priority, the options for the future operations of the various functions of APFIC.

Regular session

Option	Yes	No	PRIORITY 1 = top priority; 4 = lowest priority
The commission session meets physically, with all Member Nations covering the cost of the participation of their delegations (current situation).			
Member Nations covering the cost of the physical participation of their delegations. Member Nations not sending physical delegations, participating in virtual mode.			
The commission's regular session is convened in virtual mode only.			
The chair of the commission rotates in alphabetical order. The decision on the mode of the commission's regular session is decided at the preceding session according to the new chair country's capacity to host physical, hybrid or virtual sessions.			

Executive committee

Option	Yes	No	PRIORITY 1 = top priority; 4 = lowest priority
The executive committee meets physically, with FAO covering the cost of the participation of executive committee members (current situation).			
The executive committee meets in hybrid mode, with FAO covering the cost of the physical participation of executive committee members. Executive committee members have the option to participate virtually.			
The executive committee is convened in virtual mode only.			
The decision on the mode of the executive committee is decided at the preceding session of the commission.			

Studies/analysis under the work programme identified and prioritized by the commission's regular session

Option	Yes	No	PRIORITY (1 high priority; 5 low priority)
The work programme prioritized by the commission is supported by the FAO Regular Programme, subject to FAO's prioritization and planning processes (current situation).			
The work programme prioritized by the commission is supported by ad hoc resources as identified by the secretariat. If no resources are identified, activities will not be undertaken			
The work programme of the commission is supported by a dedicated trust fund, resourced by voluntary contributions.			
The work programme of the commission is supported by a dedicated trust fund, resourced by a mandatory, assessed contribution.			

Workshops, capacity-building and technical meetings (except for the regular session and executive committee meeting)

Option	Yes	No	PRIORITY (1 high priority; 5 low priority)
Non-LDC Members cover the cost of participation in APFIC technical workshops convened by the commission under the work programme; participation of least developed countries (LDC) Members is supported by FAO's Regular Programme at the discretion of FAO (current policy).			
APFIC workshops, capacity-building and technical meeting activities to be proposed and funded by a Member Nation, and endorsed for the biennial work programme by the commission at its regular session.			
Member Nations cover the cost of participation of their nominated delegates at workshops and meetings.			
Organizational costs and participation in workshops and technical meetings are supported by a trust fund arrangement.			
APFIC workshops are only conducted in virtual modality with no physical participation.			

Part 4: Resourcing

Asia-Pacific Fishery Commission Agreement – Article VIII: Expenses

1. The expenses of delegates and their alternates, experts and advisers occasioned by attendance at sessions of the commission and the expenses of representatives on committees or working parties established in accordance with Article III of this Agreement shall be determined and paid by their respective governments.

2. The expenses of the secretariat, including publications and communications, and of the chair, vice-chair and the immediately retired chair of the commission and of the other two members of the executive committee when performing duties connected with the commission's work during intervals between its sessions, shall be determined and paid by the organization within the limits of a biennial budget prepared and approved in accordance with the Constitution, the general rules and financial regulations of the organization.

3. The expenses of research or development projects undertaken by individual members of the commission, whether independently or upon the recommendation of the commission, shall be determined and paid by their respective governments.

4. The expenses incurred in connection with activities undertaken in accordance with the provisions of Article IV, paragraphs (e) and (f), unless otherwise available shall be determined and paid by the Member Nations in the form and proportion to which they shall mutually agree. Cooperative projects shall be submitted to the Council of the organization prior to implementation. Contributions for cooperative projects shall be paid into a trust fund to be established by the organization and shall be administered by the organization in accordance with the financial regulations and rules of the organization.

5. The expenses of experts invited, with the concurrence of the director-general, to attend meetings of the commission, committees or working parties in their individual capacity shall be borne by the budget of the organization.

Current FAO funding for APFIC activities is discretionary and rarely sufficient to operate a programme. It can only cover the cost of a workshop or publication/technical review if the FAO Regular Programme is approved during the biennial workplanning process of the FAO RAP. The approval process is not linked to the recommendations of the commission session and is primarily driven by priorities determined through other FAO processes such as the Asia-Pacific Regional Conference.

APFIC Secretariat staff are employed by FAO and have many other duties to perform under the FAO work programme. The APFIC technical assistant position has been disestablished. The activities of FAO staff in support of the APFIC Secretariat are at the discretion of the FAO RAP.

The 36th session recommended that APFIC explore the potential of a trust fund, i.e. what is the interest in an APFIC trust fund mechanism as an alternative to FAO regional programme funding?

	Yes	No	Comments
Should APFIC implement its own programme of work from a funding resource independent of FAO's Regular Programme?			
As a body under Article XIV of the FAO Constitution (item 3a), do you agree that Member Nations should provide contributions to support the activities of the commission as specified in Article VIII of the APFIC Agreement?			
The APFIC Secretariat has a full-time FAO staff complement and they have other duties to perform. There are no dedicated technical or administrative staff to assist Member Nations in implementing activities as required. Will your government consider the possibility of providing a contribution to support the activities of the commission?			

Mechanism for contributions

Member Nations already support the participation of their representatives at the regular session of the commission. What sort of financial contribution is your country willing to consider to support the work of APFIC?

	Yes	No	Comments
Member Nations cover the cost of their own representative at sessions of the commission (current situation).			
Member Nations to provide an assessed annual contribution to a trust fund based on an agreed scale.			
Member Nations provide voluntary contributions under a trust fund for specific activities or projects in which they will participate.			

2. Report of the Second Meeting of the Ad Hoc Working Group on the Future of APFIC

Virtual meeting, 24–25 February 2022

Opening of the meeting

1. The second meeting of the Ad Hoc Working Group on the Future of APFIC was held from 24 to 25 February 2022 in virtual mode. The virtual session was attended by 39 representatives of 17 Member Nations of the commission and the APFIC Secretariat. Annex B provides the list of participants.

Adoption of the agenda

2. The draft agenda was adopted, with a slight revision of adding more time for the agenda item on adoption of the recommendations. Annex A provides the agenda. The documents considered and reviewed by the ad hoc working group are listed in Annex C

Brief summary of why the ad hoc working group was convened and progress to date

3. The ad hoc working group welcomed the updated background review (APFIC/ADWG/22/Inf 2 Rev. 1) and the additions that had been incorporated following the preparatory meeting and subsequent consultations.

4. The ad hoc working group agreed that the background overview document be included as an annex to the report of the meeting (Annex D).

Presentation of the results of regional organization interviews

5. The ad hoc working group welcomed the summary findings of the consultations with the secretariats of the regional fishery organizations contained in working document APFIC/AHWG/22/02.

6. The summary report contained five main findings:

- **Finding 1:** Considering respective mandates and competency, there is now no perceived significant gap in geographical and technical/thematic coverage, between existing RFBs and regional fishery management organizations (RFMOs), that APFIC is filling.
- **Finding 2:** There is no clear added value for APFIC advice for policy decision-making on top of the governance structures of the existing RFBs/RFMOs.
- **Finding 3:** Engagement of existing RFBs/RFMOs with APFIC and its activities is often made through arrangements with FAO or other mechanisms.
- **Finding 4:** APFIC has limited opportunity to impact FAO priority setting in the Asian region.
- **Finding 5:** Providing financial resources to APFIC for a work programme through a country contribution, potentially reduces resources available to other RFBs/RFMOs.

7. The ad hoc working group noted that the findings were in general alignment with those of Member Nations' responses to the country questionnaire with respect to overlaps in function and the role of the FAO programme acting in the place of commission activities.

8. The ad hoc working group agreed that the summary of the interviews be included as an Annex to the report of the meeting (Annex E).

Summary of the analysis of results of the Member Nation questionnaire

9. The ad hoc working group noted the analysis and findings of the Member Nation questionnaire contained in working document APFIC/AHWG/22/03 Rev 1 and that 16 APFIC Member Nations had responded.

10. The ad hoc working group acknowledged that the results of the Member Nation questionnaire indicated that neither voluntary or assessed contributions are preferred options. This prevents clear agreement on how future financing of the commission can be secured.

11. The secretariat clarified that the working group is not a decision-making body and that the recommendations of the working group will be submitted to the 37th session for decision by the commission.

12. The ad hoc working group also agreed to have the summary of the results of the Member Nations' responses to the questionnaire as an annex to the report of the meeting (Annex F).

Analysis of the options

13. The ad hoc working group reviewed the options for the future based on working document APFIC/AHWG/22/04 Rev 1 (Annex G)

14. It was noted that the justification to financially support a commission or management organization was weak in the case of APFIC, where there is broad geographic coverage and lack of focused stocks or resources to manage, that could justify individual countries to commit financial resources.

15. The secretariat was requested to provide the ad hoc working group with the table of proposed financial contributions which was developed by the meeting of the ad hoc legal and financial working group (Bangkok, Thailand, 6–8 July 1999). It was considered that this would provide Member Nations with some idea of how contributions might be assessed.

16. The ad hoc working group appreciated the previous contributions of APFIC in promoting the fisheries agenda in the Asia–Pacific region but noted that there are some key issues that should be the primary consideration in terms of determining the future of APFIC.

- There is apparent overlap of APFIC with existing RFBs and RFMOs, leading to duplication of mandates, roles and functions.
- The ongoing discussion to establish a COFI Sub-committee on Fisheries Management, may also duplicate APFIC's mandate in the context of fisheries management in the region.
- In recent years, the commission has been unable to drive more impactful outcomes and added value to the promotion of cooperation in the fisheries sector in the region. Primarily due to lack of availability and commitment to provide resources to support APFIC.
- Continuation of the commission under present circumstances is an inefficient use of scarce financial resources of both FAO and Member Nations.
- Suspension of the commission's activities.

17. The ad hoc working group emphasized that adequate financial resourcing is critical for the effective functioning of the organization.

18. Taking these considerations into account, the ad hoc working group recommended to support temporary suspension of the commission, in the light of the questionnaire responses and limited prospects for identifying financial resources for the activities of the commission.

19. The ad hoc working group noted that this should be undertaken with the consideration that such a suspension should not be interpreted as undermining efforts to increase cooperation in the fisheries sector in the region, including those related with relevant FAO programmes.

20. The ad hoc working group further recommended provision of an updated table of estimated assessed contributions for Member Nations, undertaken in 1999, for the executive committee to assist Member Nations in deliberating their position on the matter at the 37th session.

21. The secretariat clarified that any decision to suspend the commission's activities at the 37th session would not affect ongoing or pipeline activities as none were planned or resourced. All ongoing activities are initiated under the work programme of FAO RAP.

22. With regard to the duration of suspension of activities, the secretariat clarified that the ad hoc working group could decide to recommend the duration of the suspension period. The secretariat further noted that the advice of the FAO legal office is that an indefinite suspension period is not recommended, as it would place the commission in an uncertain position and would limit the ability to make further decisions on its status.

23. The secretariat further clarified that according to the agreement, the quorum for an APFIC session to make a decision on its future is 11 Members, and such a decision is based on a simple majority of voting Members in attendance.

Discussion of a draft resolution

24. The ad hoc working group reviewed the draft resolution for the suspension of the commission presented in Annex 1 of the working document APFIC/AHWG/22/04 Rev 1.

25. Noting that suspension of the activity of the commission was a possible option to be taken by the 37th session, the ad hoc working group amended the draft resolution (Annex H).

26. The ad hoc working group noted that this resolution might be considered by the commission, should a decision be made at the 37th session to suspend the activities of the commission.

27. Noting that a number of Member Nations support continuation of the activities of the commission, the ad hoc working group prepared a draft resolution for consideration at the 37th session. This resolution text incorporates specific reference to the establishment of a financial arrangement to support the work programme of the commission. (This draft resolution appears as Annex I of this report.)

28. The ad hoc working group emphasized that Member Nations brief and authorize their delegates to the 37th session to make a decision on this matter.

Recommendations on options for the executive committee

29. In conclusion, the ad hoc working group:

- Recognizes that there is now sufficient regional organization coverage to replace the work of APFIC within its area.
- Considers that the work of the commission under present circumstances is inefficient use of the scarce financial resources of both FAO and Member Nations and constitutes minimal value addition, beyond the regular work of FAO for its Members.
- Agrees that adequate financial resourcing is critical for the effective functioning of an organization.
- Acknowledges that continuation of the commission's activities and for the commission to effectively fulfill its function, requires adequate resourcing for its work programme.
- Notes that suspension of the commission will enable FAO (and the APFIC Secretariat) to focus support on the FAO programme to its Member Nations in the region.
- Emphasizes that suspension of commission activities should not be interpreted as undermining efforts of FAO and APFIC Member Nations to increase cooperation in the fisheries sector in the region, including those related to relevant FAO programmes.

30. The ad hoc working group:

- By majority, recommended to support temporary suspension of the commission, in the light of the questionnaire responses and the limited prospects for identifying financial resources for the activities of the commission.
- Prepared a draft resolution for suspension for consideration by the 37th session.
- Recommended that suspension of the commission should be for a period five years.
- Noting that there were Member Nations in support of continuation, the ad hoc working group prepared a draft resolution for continuation of the activities of the commission, should this be the decision of the 37th session. This resolution text incorporates specific reference to the establishment of a financial arrangement to support the work programme of the commission.
- Recommended that Member Nations brief and authorize their delegates to the 37th session to make a decision on this matter.

Other follow-up actions required

31. The secretariat informed the ad hoc working group that the next steps would be:

- To circulate the adopted recommendations immediately following the closure of the meeting.
- To prepare the full report of the two meetings of the ad hoc working group, including as annexes the results of the Member Nation questionnaire, the interviews with secretariats of regional organizations and the final version of the background review.

- To prepare a working paper summarizing the work of the Ad Hoc Working Group for the 78th Executive Committee Meeting (June 2022).
- The 37th Session of the Commission will deliberate the findings of the ad hoc working group in 2023.

32. The ad hoc working group concluded that it had fulfilled its terms of reference and that no follow-up activity was required.

Other matters

33. There were no other matters.

Adoption of the recommendations

34. The ad hoc working group adopted the recommendations contained in this report on 25 February 2022.

Annex A: Agenda and timetable

Session 1: 24 February 2022, 11.00–14.00 (Bangkok, UCT +7)

11.00–11.10	1.	Opening of the meeting and procedures of the ad hoc working group	APFIC-AHWG-22-Inf 1
11.10–11.25	2.	Adoption of the agenda	APFIC-AHWG-22-01 rev 1
11.25–11.45	3.	Brief summary of why the ad hoc working group was convened and progress to date	APFIC-AHWG-22-Inf 2 Rev 1
11.45–12.15	4.	Presentation of the results of regional organization interviews	APFIC-AHWG-22-02
12.15–12.30	Short break		
12.30–14.00	5.	Summary of the analysis of results of the Member Nation questionnaire	APFIC-AHWG-22-03 Rev 1

Session 2: 25 February 2022, 11.00–14.00 (Bangkok, UCT +7)

11.00–11.45	6.	Analysis of the options	APFIC-AHWG-22-04 Rev 1
11.45–12.15	7.	Discussion of a draft resolution	APFIC-AHWG-22-04 Rev 1 Annex 1
12.15–12.30	Short break		
12.30–13.00	8.	Recommendation on options for the executive committee	
13.00–13.15	9.	Other follow-up actions required	
13.15–13.45	10.	Other matters	
13.45–14.00	11.	Adoption of the recommendations	

Annex B: List of participants

Australia
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Bangladesh
Muhammad Tanvir Hossain Chowdhury
Deputy Chief (Marine)
Department of Fisheries
Dhaka

Cambodia
Kaing Khim
Deputy Director General
Fisheries Administration (FiA)

China
Xianshi Jin (Chair)
Director of Yellow Sea Fisheries Research Institute
Chinese Academy of Fishery Sciences

Jing Ying
Deputy Director
Bureau of Fisheries
Ministry of Agriculture and Rural Affairs

Jiakun Xu
Professor, Yellow Sea Fisheries Research Institute
Chinese Academy of Fishery Sciences

France

India
I A Siddiqui
Fisheries Development Commissioner (i/c)
Department of Fisheries
Ministry of Fisheries, Animal Husbandry & Dairying

Indonesia
Sitti Hamdiyah
Coordinator for Regional and Multilateral Cooperation
Bureau for Public Relation and Foreign Cooperation
Secretariat General

Anindita Laksmiwati
Sub Coordinator for United Nations Cooperation
Bureau for Public Relation and Foreign Cooperation
Secretariat General

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Secretariat Directorate General of Marine
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Erna Yuniarsih
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Secretariat Directorate General of Aquaculture

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Kyutaro Yasumoto
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New Zealand
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International Policy and Trade
Ministry for Primary Industries

Pakistan
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Ministry of Maritime Affairs

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Annex C: List of documents

Working documents

Provisional agenda and timetable	APFIC/AHWG/22/01
Informal consultation with selected secretariats of REGIONAL FISHERY BODIES (RFBs) and REGIONAL FISHERY MANAGEMENT ORGANIZATIONS RFMOs) in Asia on the review of the Asia-Pacific Fishery Commission (APFIC)	APFIC/AHWG/22/02
Summary of APFIC Member Nation questionnaire responses on the future of APFIC	APFIC/AHWG/22/03 Rev 1
Options for the future of APFIC	APFIC/AHWG/22/04 Rev 1

Information documents

Procedures for the virtual ad hoc working group	APFIC/AHWG/22/Inf 1
Updated draft: review of constraints to the effective function of the Asia-Pacific Fishery Commission and possible options for the future	APFIC/AHWG/22/Inf 2 Rev 1
APFIC information note: Some examples of FAO Article XIV bodies	APFIC/AHWG/22/Inf 3
A summary of APFIC activities 2001–2021	APFIC/AHWG/22/Inf 4
List of documents	APFIC/AHWG/22/Inf 5
List of participants and observers	APFIC/AHWG/22/Inf 6

Annex D: Background to the situation that limits the effective function of the Asia-Pacific Fishery Commission

1 A timeline of the reforms of the Indo-Pacific Fishery Council/the Asia-Pacific Fishery Commission and development of regional fishery organizations

1.1 Background

APFIC was originally constituted as the IPFC as the first Article XIV body convened by FAO and was established in 1948. Over the past 70 years IPFC and subsequently APFIC have undergone periodic reviews of its functions and performance, changes in name, revision of geographic competence and amendments to the agreement. These changes were in response to the changing context in which IPFC/APFIC found itself as a fishery advisory body, as global fisheries governance transitioned and international agreements emerged.

The creation of the FAO Committee on Fisheries (COFI) in 1965, provided for the first time, a global forum for decisions of the fishery agenda. IPFC continued with its regional mandate, but COFI formed the basis of priority setting of Member Nations through the FAO Regular Programme.

Starting with the need to reform its finances, early reviews of the IPFC (1976) sought to increase its financial autonomy so that it could expand the scope of its programme. This was not successful.

Financial challenges confronting the work of the IPFC were identified as early as 1976 and again in 1990, with ad hoc working committees convened to attempt to address the issues and provide guidance on reforming the commission. Although functions and names were amended, the matter of Member Nations assuming greater responsibility for the work of the commission through contributions to a budget or trust fund were never resolved. FAO thus continued to fund the activities of the commission and its subsidiary bodies.

The establishment and improvement in capacity of other regional organizations in the 1980s increasingly overlapped or duplicated the IPFC's functions, requiring the IPFC to seek to cooperate more and improve synergies. This also led the commission to question its relevance, although finally concluding there were enough geographic gaps in coverage to still justify continuation of its work.

In 1990, the Ad Hoc Committee on Structure, Functions and Responsibilities of the Indo-Pacific Fishery Commission (IPFC), considered the advisability of disbanding the commission and of allocating its functions to other existing bodies. While acknowledging however that this would be possible in some areas (e.g. the Indian Ocean, South Pacific), the ad hoc committee recognized that there were a number of matters that did not fall within the responsibility of any other international body at that time. Since that time several new regional advisory organizations and fishery management organizations have been created, or have considerably strengthened their capacity, which has substantially filled the gap which was perceived at this time.

The 24th Session of the IPFC in 1993 agreed to amendments to the IPFC Agreement with its title being changed to the Asia-Pacific Fishery Commission (APFIC) as well as changes to the functions and responsibilities of the commission.

With the post UN Fish Stocks Agreement (1995), emergence of international agreements for management of shared or straddling stocks and the new age of RFMOs (e.g. IOTC in 1996 and negotiations for the Western and Central Pacific Fisheries Commission [WPFC] starting in

1994), APFIC increasingly found itself as an advisory body with no specific stocks on which to focus its activities. The FAO review in 1996 concluded that APFIC might transform itself into a management body and focus its management efforts on the South China Sea area.[1]

In early 1997, FAO initiated a process to review the FAO RFBs in an attempt to more effectively resource these bodies in line with the agreements under which they had been created. This culminated with the adoption of Resolution 13/97 by the 29th FAO Conference in 1997, that clearly outlined the expectations on the responsibilities of Member Nations to finance the work of the commission, indicating that should this not be forthcoming, then the basis for the agreement was in effect nullified.

In 2001, following another review (in 1999), the commission considered the options and agreed once again that FAO should continue to provide the commission's secretariat and cover the cost of the commission's work programme. Member Nations agreed to cover the costs of the session and participation and seek additional ad hoc funding resources. They did not agree to any form of mandatory or assessed financial contribution.

In the following years, the APFIC Secretariat attempted a range of strategies to use diminishing FAO funding to creatively leverage additional support from projects, regional organizations, the FAO HQ Fisheries and Aquaculture Division (NFI) and the APFIC Member Nations to undertake activities jointly that were in line with programmes and in the interests and identified priorities of the membership. In this way APFIC has sustained a 20-year extension of activity that has generally leveraged a 2:1 ratio of other funding to the FAO Regular Programme investment. The financial breakdown of this has been regularly provided to the session.

Despite this successful extension to APFIC's activities, the fundamental issue of Member Nations covering the costs of the work programme of the commission has not been resolved and remains inconsistent with the intention of the Article XIV Agreement and Resolution 97/13 of the FAO Conference.

More recent interpretation and more stringent application of FAO policy on funding support to Article XIV bodies by FAO RAP has led the commission to a major crisis in its ability to develop and execute a work programme that services its membership.

The 36th Session of APFIC (May 2021) recognized the pressing issues of financial unsustainability and FAO's declining willingness and ability to provide regular programme funding for commission activities. It recommended the establishment of an 'ad hoc working group on the future of APFIC' to look into issues and explore possible options to advise the commission on its future.

This document is an overview documenting the timeline of the reforms of the IPFC and APFIC as well as the emergence of other organizations and bodies which have overlapping or duplicating mandates with APFIC.

This timeline of developments and the decisions or outcomes are provided in Table A1 and some pertinent outcomes of working committees and decisions of APFIC Member Nations and FAO bodies are provided in the annexes.

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[1] Marashi, S.H. 1996. *The role of FAO regional fishery bodies in the conservation and management of fisheries.* FAO Fisheries Circular. No. 916. Rome, FAO. 1996. 65p.

1.2 The timeline of reforms of the Asia-Pacific Fishery Commission and establishment of other regional bodies

Table A1. The timeline of reforms of the Asia-Pacific Fishery Commission and establishment of other regional bodies

Year	Event and outcome/implications
1947	Third Session of the FAO Conference (Geneva, Switzerland, 25 August to 11 September 1947) recommended that FAO take action to initiate the formation of regional councils for the scientific exploration of the sea in the parts of the world not now actively served by similar bodies, giving primary consideration to the following areas: the Northwestern Atlantic, Southwestern Pacific and the Indian Ocean, the Mediterranean Sea and contiguous waters, the Northeastern Pacific, Southeastern Pacific, Southwestern Atlantic and Southeastern Atlantic. The boundaries of these areas, and the constitutions of the councils, should be left open for discussion and determination by the nations concerned.
1948	Indo-Pacific Fishery Council established as a regional body for the 'Indo–Pacific' region https://treaties.un.org/doc/Publication/UNTS/Volume%20120/volume-120-I-1615-English.pdf
1965	The Committee on Fisheries (COFI) is established at the 13th Session of the FAO Conference. The global nature of COFI and its functions as a priority setting body for FAO Members in fisheries and aquaculture overlaps many of the regional functions of the IPFC.
1967	Bangkok 28 December 1967: The Southeast Asian Fisheries Development Center (SEAFDEC), an autonomous intergovernmental body, is established. The functions of SEAFDEC partially duplicate the IPFC functions in Southeast Asian Member Nations. www.seafdec.org/documents/2013/09/scm13ref01.pdf
1975	IPFC convenes an ad hoc committee to review the functions and responsibilities of the IPFC (including proposed amendments to the agreement establishing IPFC and the IPFC Rules of Procedure). Its finding are reviewed by the executive committee and then the 17th session. FA0 Fisheries Reports, No, 181 (FID/R181(En) www.fao.org/3/bm026e/bm026e.pdf
1976	The 54th Session of the IPFC Executive Committee (October 1976) made a general review of the finances of the IPFC and that these only covered secretariat expenses and that as an Article XIV body, proposed expansion of functions and role (including management measures), mandatory contributions and a voluntary contribution to a fund for activities. Proposed amendment of the name of the commission. www.fao.org/3/bm026e/bm026e.pdf (page 36, Annex G of that document)
1976	The 17th Session of the IPFC (November 1976), considered the 'Report of the ad hoc committee to review the functions and responsibilities of IPFC (including proposed amendments to the agreement establishing IPFC and the IPFC Rules of Procedure)'. It decided to amend the agreement to enable the commission to take action directly related to fisheries management and development in its area of competence. Adopted a change in name to the Indo-Pacific Fishery Commission to reflect revised functions, adopted a range of amendments to the agreement, including substantially revising the wording of the functions (FAO Fisheries Report 181, 1976). A proposed amendment to the agreement on the adoption of management measures was rejected due to lack of prior consultation. The commission deferred discussions on mandatory contributions to the next session. www.fao.org/3/bm026e/bm026e.pdf

Year	Event and outcome/implications
1978	For the 18th Session of the IPFC, (paragraphs 63–66), the secretariat prepared two questionnaires, one on the proposal for an autonomous budget and the other on a trust fund for an IPFC/IOFC tuna management programme. These had a poor level of response and the commission did not reach a conclusion, but agreed to keep the idea of a trust fund arrangement active. The secretariat was requested to prepare a paper in consultation with the Chairman of the IPFC indicating a programme of activities, likely costs and to provide several options which the Member Nations could consider regarding the nature and manner of the contributions expected from them. The document should be presented to Member Governments well in advance of the 19th session. The IPFC also noted the wide and somewhat ill-defined area covered by the IPFC Agreement and that it was desirable to consider geographic subdivisions of this area.
1980	At the 19th Session of the IPFC, concern was expressed by the commission on the increasing proliferation of organizations dealing with fisheries in the IPFC region, as well as possible overlapping of functions. Coordination should be ensured as regards the areas of competence and the functions of the organizations concerned. The question of distribution of responsibilities between neighbouring subregional committees and of coordination between their supporting programmes was raised by some delegations. They referred specifically to the South China Sea and Bay of Bengal committees which may have overlapping spheres of influence and this might cause confusion on the part of donor agencies. The matter of financing of the IPFC was not covered in the report of the session. www.fao.org/3/a-bm028e.pdf
1982	The 20th session discussed the future of the IOFC and IPFC. www.fao.org/3/bm008e/bm008e.pdf
1985	9–13 December 1985. INFOFISH established (developed from a FAO project), duplicating IPFC functions on postharvest and fish trade training, capacity building, analysis and monitoring. http://extwprlegs1.fao.org/treaty/docs/tre000043E.pdf
1989	The 18th Session of COFI deliberated on the performance and function of the IPFC. Para 36. "With respect to the Indo-Pacific Fishery Commission (IPFC), the Committee felt that the time had come for an in-depth review of the functions and structures of IPFC with a view to revitalizing this body and strengthening its activities in the technical and policy fields. The Committee noted with satisfaction the announcement by China of its interest in joining IPFC, thus adding to the Commission's status, particularly in the South China Sea region." www.fao.org/3/am684e/am684e00.htm
1990	The Network of Aquaculture Centres in Asia-Pacific (NACA) established (from a long running series of FAO/UNDP regional projects), duplicating the IPFC functions for aquaculture.
1990	The 23rd Session of the Commission recalled that COFI, at its 18th session in April 1989, had recommended that the commission undertake an in-depth review of its functions and structure with a view to revitalizing it and strengthening its activities in the technical and policy fields. Established an ad hoc committee to draw up a report on the above matter with proposals for action to be taken. www.fao.org/3/a-bm005e.pdf

Year	Event and outcome/implications
1990	IPFC Ad Hoc Committee convened on 'Structure, Functions and Responsibilities of the Indo-Pacific Fishery Commission (IPFC)'. Produced a 'Report of the Ad Hoc Committee on Structure, Functions and Responsibilities of the Indo-Pacific Fishery Commission (IPFC), Bangkok, Thailand, 11-14 December 1990' (Annex O). This report considered restructuring the IPFC in view of the proliferation of regional fishery institutions and the need to avoid duplication and strengthen technical operation in fisheries. It highlighted the ongoing consultations on international fishery matters at the UN Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks and in FAO. It further emphasized that "countries had to ask themselves whether current structures and working modalities were adequate to confront new issues. In this respect the emergence of other regional organizations which were involved in fishery matters should be duly recognized". It considered the advisability of disbanding the commission and of allocating its functions to other existing bodies. While acknowledging however that this would be possible in some areas (e.g. the Indian Ocean, South Pacific), the ad hoc committee recognized that a number of matters did not fall within the responsibility of any other international body at that time and this was taken as a basis for the continued relevance of the IPFC.
1992	The 65th IPFC Executive Committee Meeting (3–6 November, 1992) discussed the recommendations of the Ad Hoc Committee on Structure, Functions and Responsibilities of IPFC, established by the commission at its 23rd session, and the proposed amendments to the IPFC Agreement.
1993	The Agreement for the Establishment of the Indian Ocean Tuna Commission approved by the Council of the Food and Agriculture Organization of the United Nations in November 1993.
1993	24th Session of the Commission in 1993 makes amendments to the agreement with the title of the agreement changed to 'Asia-Pacific Fishery Commission (APFIC)', and with amendments to the functions and responsibilities of the commission. The commission establishes technical committees, namely, the Aquaculture and Inland Fisheries Committee (AIFIC) and the Committee on Marine Fisheries (COMAF). However, it ascertained that only 13 Member Nations were present and there was not a quorum as provided for in Article IX of the Agreement. Responses and endorsement were therefore sought by mail following the session. www.fao.org/3/a-bm004e.pdf
1994	Amendments to the APFIC Agreement endorsed by the FAO Council at its 107th session on 21 November 1994 (paragraph 189 of the Report of the Council). www.fao.org/3/j3893e/j3893e.pdf
1995	5 April 1995: The establishment of the Mekong River Commission. Cambodia, Lao People's Democratic Republic, Thailand and Viet Nam signed the Agreement on Cooperation for Sustainable Development of the Mekong River Basin (the 1995 Mekong Agreement), in Chiang Rai, Thailand. With competence in freshwater fisheries and aquaculture in the lower Mekong Basin region and four riparian countries, its mandate overlaps APFIC's competence in inland fisheries to some degree. www.mrcmekong.org/about/mrc/history/
1996	Agreement for the Establishment of the Indian Ocean Tuna Commission entered into force on 27 March 1996. As a modern RFMO, this effectively nullifies any competence of APFIC in the Indian Ocean for tuna and tuna-like species. www.iotc.org/sites/default/files/documents/2012/5/25/IOTC%20Agreement.pdf

Year	Event and outcome/implications
1996	The FAO review on the role of FAO RFBs in the conservation and management of fisheries provided some options for APFIC to transform into a management body: (i) Amend the agreements establishing APFIC as an Article XIV body with an autonomous budget with more management powers and greater flexibility, through two subsidiary bodies: a) the IOFC Committee for the Development and Management of Fisheries in the Bay of Bengal; b) Committee on Marine Fisheries; (ii) terminate the APFIC Agreement and elevate its Committee on Marine Fisheries to a Commission under Article XIV of the FAO Constitution with a focus on the South China Sea area or (ii) Establish an Independent Commission to Replace the Committee on Marine Fisheries with a focus on the South China Sea area; and (iii) Restructure the Aquaculture and Inland Fisheries Committee establishing it as an Article VI body. www.fao.org/3/w3123e/W3123E00.htm
1996	The 25th Session of APFIC (October 1996) discussed the feasibility of Member Nations providing funding support for the commission's enhanced mandate and responsibilities. Member Nations were unwilling to discuss this issue in detail. Major amendments to the agreement and the rules of procedure were adopted by the commission. It endorsed the recommendation of its executive committee that the agreement and the rules of procedure revised at its 24th session should again be amended. The objective was to bring them into line with the Principles and Procedures which should Govern Conventions and Agreements Concluded under Articles XIV and XV of the FAO Constitution, and Commissions and Committees Established under Article VI of the Constitution (Part R of the Basic Texts of FAO which was revised by Resolutions 8/91 and 13/93 of the FAO conferences in November 1991 and 1993 respectively). All Member Nations underlined their continuing support for the commission and recognized that it would be necessary to reinforce and update its terms of reference in order to take full account of the fundamental changes which had taken place in the past few years as reflected by the foregoing international initiatives (e.g. the UN Fish Stocks Agreement, Straddling Stocks and the evolution of RFMO arrangements). The role of the commission would need to be broadened while avoiding duplication with other regional bodies (paragraph 57 of the report). In discussing possible financial support by Member Nations to the commission, three options for contributions by Member Nations were considered for the future: i) Member Nations could pay annual contributions on an agreed scale; ii) For specific activities or projects, voluntary contributions by participating countries only would be placed in a trust fund; and iii) Member Nations would provide travel expenses for their representatives at sessions of the APFIC committees and working parties (paragraph 61 of the report). The commission requested the secretariat to prepare programmes of action that required funding by its Member Nations, together with detailed workplans, for consideration at the 26th Session of APFIC (paragraph 63 of the report). www.fao.org/3/a-bm003e.pdf
1997	29th FAO Conference, Rome, 7–18 November 1997. Resolution 13/97 Until this date, FAO had provided technical and administrative support to the FAO regional bodies (this covered the costs of secretariats and their activities, some of the costs of convening working parties and technical committees). By 1997, the financial constraints of its regular programme budget had prevented the organization from increasing its support to these bodies. There was no specific FAO policy for addressing the financial support to FAO RFBs until the 29th FAO Conference in 1997 adopted Resolution 13/97. www.fao.org/3/W7475e/W7475e0f.htm#xv.%20resolution%201397 This resolution *inter alia* invited "the Contracting Parties to Conventions and Agreements establishing regional bodies under Article XIV of the Constitution to seek where appropriate, increasingly to provide such Bodies with their own financial resources,

Year	Event and outcome/implications
	whether through cooperative programmes or other voluntary contributions, or through the establishment of autonomous budgets financed from mandatory contributions". FAO had previously advised the commission on several occasions that it would endeavour to provide support to ensure the continuation of APFIC but reminded the commission it belonged to the Member Nations (Article XIV body) and that the FAO role was one of a facilitator and coordinator. If the commission's work proved to be useful to the Member Nations, it was the consideration of FAO that the Member Nations should have the political will and commitment to increase their support for the expanded role of the commission. The abolition of the four APFIC working parties was included in this decision. www.fao.org/3/W7475e/W7475e00.htm
1998	The 26th Session of the Commission brought up this financial contribution issue again. The commission noted constraints affecting the work of APFIC during its service to the region, the most significant being the persistent lack of adequate funding support, especially during the past two decades. Several delegations were not prepared to support Option 1: Mandatory annual contributions from the Member Nations. The only agreement was the commitment from a number of Member Nations stating that they would finance the participation of their delegations to the meetings of the commission and would be prepared to consider financing some cooperative projects. The commission abolished its four working parties in accordance with Resolution 13/97 of the FAO Conference at its 29th Session in 1997. Two technical committees, namely, the Aquaculture and Inland Fisheries Committee (AIFIC) and the Committee on Marine Fisheries (COMAF) had to postpone their meetings twice due to financial constraints faced by most Member Nations. The lack of quorum due to the absence of most Member Nations at their sessions prevented effective implementation of their functions. The commission agreed to establish three ad hoc working groups of experts (food safety, statistics and rural aquaculture). The commission was informed that the Committee for the Development and Management of Fisheries in the Bay of Bengal (BOBC) of the IOFC, at its 10th Session (New Delhi, India, 24–25 September 1997), had discussed options for its future role in view of the forthcoming abolition of the IOFC. The BOBC agreed by consensus that it should be merged into APFIC. The commission agreed that an ad hoc legal and financial working group be established. It agreed further that the working group should develop a self-sustaining financial mechanism under which APFIC would operate and manage its affairs more effectively, taking into account the economic conditions of the Member Nations. www.fao.org/3/a-bm002e.pdf
1999	Meeting of the ad hoc legal and financial working group of APFIC convened (July) with terms of reference and workplan as adopted by the commission at its special session in February 1999. The working group reviewed the current structure of the commission. Review feedback from the questionnaire sent to Member Nations and proposed options for financing and reform of the commission to be considered at the 27th session. https://coin.fao.org/coin-static/cms/media/5/13170335336810/2000_04_high.pdf
1999	Resolution 1/116 of the FAO council abolished the IOFC and approved the merging of the functions of the IOFC BOBC into APFIC. This expanded the focus of APFIC work to the Bay of Bengal area. www.fao.org/3/x6950e/x6950e0g.htm
2001	The 27th Session (September 2001) of the Commission considered the future of APFIC in detail based on the Member Nation survey questionnaire responses; report of the ad hoc legal and financial working group of APFIC; and the (1999) Menasveta report (2000) and other documents.

Year	Event and outcome/implications
	The secretariat elaborated on the international character of Article XIV agreements and referred to in Part R of the FAO Basic Texts, which state that agreements entered into under the aegis of Article XIV are intended to be full international agreements. This entailed financial or other obligations from the Member Nations going beyond those already assumed under the FAO Regular Programme. Should this not be the case, there would be "no grounds for such an agreement, at least not in the legal form prescribed under Article XIV of the FAO Constitution". In this context, it would be assumed that the Member Nations of APFIC should take up specific obligations, going beyond mere participation in the work of the body thus established. As to the financial obligations to enable the effective implementation of the commission's mandate, contributions by Member Nations are required in cash or in kind. Contributions in kind could include expenses such as hosting or participating in a session of the commission and/or conducting research or development activities as recommended by the commission. Resolution 13/97 invited *inter alia* the regional bodies created under Article XIV "to seek where appropriate, increasingly to provide such bodies with their own financial resources, whether through co-operative programmes or voluntary contributions, or through the establishment of autonomous budgets financed from mandatory contributions". As FAO would not be able to provide increased financial support for the commission, there was a need for increased contributions by its Member Nations either under the form of mandatory annual contributions or otherwise. In this respect, it would not be appropriate to maintain the status quo of the commission. The commission proceeded to consider four possible options for the future direction of APFIC, presented in document APFIC/CM/01/6, based on the report of the ad hoc legal and financial working group, viz., (i) maintaining the status quo; (ii) implementing collaborative research and/or development initiatives; (iii) assuming the role of a regional consultative body as the commission's main activity; and (iv) assuming the role of an RFMO. **Option 1. Maintain status quo:** Out of the 18 Member Nations represented at this session, 13 expressed preference for this option, but with the proviso that there would be no mandatory financial contributions from them. Some countries questioned whether under this option, APFIC continue to exist as an Article XIV body. It was clarified that, in the light of Resolution 13/97 of the FAO Conference in 1997 and Part R of the Basic Texts of FAO, and because APFIC belongs to its Member Nations, the Member Nations of APFIC are required to seriously consider the possibility of providing contributions to the commission, either in cash or in kind, whether in the form of mandatory annual contribution or contributions to a trust fund for specific activities. **Option 2. Implementing collaborative research and/or development initiatives:** This option, however, would require financial and human resource contribution from participating Member Nations and was supported by six Member Nations. **Option 3. APFIC assuming the role of a regional consultative forum:** Eleven Member Nations were in favour of this option as a future role of the commission. **Option 4. APFIC as an RFMO:** This required mandatory contributions from the participating Member Nations according to other recently formed RFMOs/RFBs recently established or soon-to-be established within or outside the FAO umbrella. Six Member Nations were explicitly not in favour of this option; one Member Nation, however, considered this as a possible long-term transformation of the commission. Some Member Nations expressed difficulties in providing mandatory contributions. Most Member Nations attending this session had no mandate to discuss the financial question related to the future of APFIC and the matter was left unresolved. The commission requested that the Director-General of FAO invite the Member Nations of APFIC to reaffirm their continued interest in and commitment to the commission. Notwithstanding its financial uncertainty, the same session of the commission agreed that: • APFIC should continue to function. • APFIC should have a more focused and well-defined programme of action that is responsive to the needs of its Member Nations.

Year	Event and outcome/implications
	• APFIC could implement cooperative research and development initiatives. • APFIC could assume the role of a consultative forum. • There is a need for continued support for capacity building and transfer of technology in sustainable fisheries management and development for both marine and inland fisheries. www.fao.org/3/a-aa031e.pdf
2002	The FAO Director-General circulated a letter requesting Member Nations to confirm their interest in the continuation of APFIC and to identify the financial or in-kind contributions that could be used to support the commission. No Member Nations explicitly committed to cash contribution to the work of the commission (Annex K). It took one year to gather sufficient responses.
2004	At the 28th Session of APFIC, the commission unanimously agreed that APFIC should function as a regional consultative forum (RCF) to provide a framework for Member Nations to discuss fisheries issues which affect groups of states across the wider Asia and Pacific region and to formulate recommendations for action. It was agreed that APFIC could act as a platform to discuss emerging issues relating to fisheries, trade and sustainable management facing its Member Nations. The commission stressed that the RCF should not entail any additional financial burden for its Member Nations whose contributions should remain voluntary. The commission also stressed the need for full-time staff in the APFIC Secretariat, in addition to the current part-time involvement of the senior fishery officer and aquaculture officers at RAP. www.fao.org/3/ad510e/ad510e00.htm
2004	On 19 June 2004 the Convention on the Conservation and Management of High Migratory Fish Stocks in the Western and Central Pacific Ocean (WCPFC) came into force. The WCPFC was established by the convention, effectively nullifying APFIC competence to manage highly migratory species in Area 71. www.wcpfc.int/convention-text
2006	The 29th Session of the Commission noted that several Member Nations had not participated in the regular activities of the commission for a number of years. The commission recommended that the secretariat should proceed with reviewing the issue of membership and possible withdrawal of Member Nations that no longer wished to be part of the commission. www.fao.org/3/a-ag100e.pdf
2008	The 30th Session of the Commission adopted APFIC's strategic plan for 2008 to 2012. The strategic plan provided a longer-term vision as to how the commission should work, bearing in mind its staff and funding limitations and Member Nations' priorities. It identified the focal area for APFIC within its area of competence as "The EEZ waters of Member Nations in the Asian region and contiguous waters of northern Australia. In particular, the Large Marine Ecosystem areas of: the Bay of Bengal, South China Sea, Yellow Sea and the Sulu-Sulawesi Marine Eco-region and the Arafura-Timor Sea. Asian inland waters of the APFIC Member Nations". www.fao.org/3/a-i0327e.pdf
2018	The 35th Session of APFIC reviewed and endorsed the thematic and technical directions of the APFIC Strategic Plan 2018–2023. This document recognized several areas where APFIC's performance and impact was constrained by both human and financial resources. A major limitation of the strategy was that it did not provide an operational plan for how APFIC could develop a truly effective programme of work that was not subject to the uncertainties of the FAO Regular Programme and FAO policies on financial support to FAO RFBs. www.fao.org/3/CA1701EN/ca1701en.pdf

Year	Event and outcome/implications
2019	The 76th Executive Committee Meeting was informed of changes to FAO internal planning processes and that earmarked funds were no longer allocated to the FAO regional commissions at the start of the biennium. This policy also extended to limitation of financial support to participation in APFIC technical meetings and workshops. It was also recognized that participation of the membership in APFIC activities was also a constraint and that decision-making of the session ran the risk of being compromised if sessions could not reach quorum (two-thirds of the APFIC membership). It recommended the secretariat to prepare some options for the future operation of the commission, setting out financial and operational procedures. The secretariat was unable to prepare such comprehensive documents and concluded that more guidance from the commission was required before commencing analysis. www.fao.org/3/a-i7600e.pdf
2021	The 36th Session of APFIC (May 2021) recognized the pressing issues of financial unsustainability and FAO's declining willingness and ability to provide regular programme funding for commission activities. It recommended the establishment of an ad hoc working group on the future of APFIC to look into the issues and possible options to advise the commission on its future. The session was appraised of the principal issues and some preliminary ideas of possible means to streamline planning and seek financial resourcing of APFIC-related work and activities. • Address the issue of non-participation of membership. • Attempt to re-phase the APFIC biennial workplan to coincide with the biennial FAO Regular Programme financial planning. This had the advantage of harmonizing biennial workplans, and that the APFIC sessions would coincide with a non-COFI year. • Explore opportunities for the development of a trust account, or project for APFIC to enable co-financing of APFIC fora. Resources could be used to support participation in APFIC meetings and technical workshops. • Explore the administrative arrangements required to enable APFIC to act as a coordinating or executing body for regional initiatives and programmes. • Move the commission to a completely virtual mode, reducing travel costs. There would still be staff time implications and the need for a regular budget to undertake studies and background work to support the virtual meetings/workshops. • Cessation of regular activities of the commission in order to release the secretariat and resourcing for subregional activities that would be supported through projects and FAO Regular Programme-aligned activities.

Source: FAO. 2021. *Report of the Thirty-Sixth Session of the Asia-Pacific Fishery Commission (APFIC), Bangkok, Thailand, 5–7 May 2021*. Bangkok, FAO. www.fao.org/3/cb6875en/cb6875en.pdf

2 Discussions on the Asia-Pacific Fishery Commission area

The competence of APFIC as defined by the APFIC area has been previously identified as an issue that constrains APFIC functions. The lack of a clear geographic competence has implications for identifying possible stocks that could be managed and also results in an overlapping mandate with other organizations (see next section). This latter issue is perhaps the more serious matter to address.

This was identified as an area requiring clarification in previous assessment of APFIC's functions, but currently seems to be to a minor issue for the Member Nations as APFIC's role is primarily one of an advisory nature, capacity building and awareness-raising.

The focus for the work of the commission was effectively resolved following the endorsement of the 2008–2012 APFIC Strategic Plan by the commission at its 30th session.

2.1 Timeline regarding geographic coverage of the work of the Asia-Pacific Fishery Commission

Table A2. The timeline of revision of the coverage of programmes and work of the IPFC and APFIC

Year	Decision
Pre-1994	Some previous FAO programmes, which were reported to the IPFC extended into the Pacific area cooperating with the South Pacific Commission (although many Pacific countries are not members of APFIC). These were reported through working parties of the IPFC.
1994	24th Session of APFIC (1994) agreed that the commission should concentrate its activities in the South China Sea and adjacent waters.
1999	Resolution 1/116 of the FAO Council abolished the IOFC and approved the merging of the functions of the IOFC BOBC into APFIC. This expanded the focus of APFIC work to the Bay of Bengal area.
2000	The ad hoc legal and financial working group recommended no change to the area of competence of APFIC but noted the geographical expanse would require a subregional focus. It also noted the overlap with the Secretariat of the Pacific Community (SPC), Pacific Island Forum Fisheries Agency (FFA), the IOTC, SEAFDEC (forthcoming WCPFC). The Bay of Bengal Programme Inter-Governmental Organisation (BOBP-IGO) was not constituted at this stage.
2000	Menasveta analysis of APFIC recommended that APFIC's primary focus be on three subregions of the Asia and Pacific region, namely: (1) the Yellow Sea and its adjacent waters (the western part of FAO Statistical Area 61); (2) the South China Sea and its adjacent waters (the western part of FAO Statistical Area 71); and (3) the Bay of Bengal (the northern part of Area 57).
2008	The 30th session endorsed the APFIC 2008–2012 strategy. It identified the focal area for APFIC within its area of competence as *"The EEZ waters of Member Nations in the Asian region and contiguous waters of northern Australia. In particular, the Large Marine Ecosystem areas of: the Bay of Bengal, South China Sea, Yellow Sea and the Sulu-Sulawesi Marine Eco-region and the Arafura-Timor Sea. Asian inland waters of the APFIC Member Nations".*

3 The relevance of the Asia-Pacific Fishery Commission in the crowded space of fisheries governance is questionable

The current relevance of APFIC as an Article XIV fishery body is questionable for a range of reasons:

- APFIC Member Nations are unprepared (to date) to financially support the commission.
- APFIC Member Nations may not be fully committed to the commission.
- APFIC partially duplicates the advisory and normative role of FAO.
- The commission has a limited say in the identification of priorities and activities supported by FAO.
- FAO executes or manages projects – not APFIC.
- APFIC Secretariat staff only have a part-time role.
- APFIC has no reliable source of funding.
- FAO policy is for Member Nations to cover their participation costs and the costs of an Article XIV body.
- APFIC is not mandated by its Member Nations to manage stocks.
- The functions of APFIC duplicate the work of other regional organizations.

3.1 Asia-Pacific Fishery Commission Member Nations are unprepared (to date) to financially support the commission

Many Member Nations continue to indicate their appreciation of the work of the commission. FAO's Director-General has previously canvassed feedback from Member Nations on willingness to commit to APFIC and the responses were generally positive. However, no country was willing to consider a contribution. An ambivalent attitude to provision of financial support is interpreted by some Member Nations as meaning that the commission has outlived its usefulness. There is an opinion among some Member Nations, within parts of FAO, that FAO RFBs should be terminated if its Member Nations are not prepared to share increased responsibilities in the commission's work according to FAO Conference Resolution 97/13.

3.2 Asia-Pacific Fishery Commission Member Nations may not be fully committed to the commission

Membership of APFIC includes a number of countries that have effectively withdrawn from the activities of the commission. APFIC has 21 Member Nations. Up to six Member Nations do not participate regularly in the APFIC session. APFIC sessions are consistently on the verge of not reaching quorum.

At the 36th session in virtual mode, there were challenges in reaching decisions on relatively straightforward matters. This may, in part, be due to unfamiliarity with operating a commission in a virtual setting. But it is also perhaps an indication of a lack of willingness of countries to make any further commitments to the commission, even to the extent of nominating members of the executive committee.

Solutions:

- Member Nations that no longer consider the commission relevant, could submit letters of withdrawal from the agreement.
- Delegations are more prepared to make basic decisions to enable the governance mechanisms of APFIC to proceed (e.g. election of officers).

3.3 The Asia-Pacific Fishery Commission partially duplicates the advisory and normative role of FAO

The functions of APFIC duplicate, to a high degree, the role of FAO, especially as there is non-independent resourcing and all APFIC work is contingent upon FAO resourcing (projects, or the Regular Programme). It is therefore subject to the priorities that determine these allocations or activities. APFIC's comparative advantage is to undertake downscaled regional analysis to inform the global picture, but this still overlaps/duplicates the work of other regional organizations, besides FAO. The overlaps or complementarity between FAO and APFIC and the programmes are indicated in Table A3.

Table A3. Areas of duplication with the functions and activities of FAO

FAO process	Overlap or duplication with APFIC
Fishery project and programme development: FAO leads project and programme development. FAO executes these projects and programmes.	**APFIC does not develop projects,** as it has no autonomous budget. APFIC Secretariat staff may be involved with FAO programmes and this offers some opportunities for alignment
Fishery and aquaculture statistics: These are collected by the NFI statistics group at FAO headquarters, not APFIC.	**APFIC does not collect or collate statistics from Member Nations.** All APFIC regional analysis is based on these FAO data, unless Member Nations provide information independently on an ad hoc basis for studies.
Reporting on the global status of stocks: Across the regions these are tracked and analysed by NFI. There is no subregional mechanism.	**APFIC does not collate stock assessment information from Member Nations.** The APFIC region represents the area with the least data and analysis of stocks and would **benefit from a subregional programme to improve assessment. APFIC could facilitate this.**
Global guidelines: FAO, COFI and its subcommittees guide FAO on the development of guidelines. RFBs are generally peripheral to this process although they may provide technical resource persons to expert meetings.	APFIC can, and does develop **regional guidance and advice,** but the process for global guideline development is led by FAO with Members, for endorsement through COFI.
Global and regional subsector analysis: This is variously provided by GLOBEFISH, State of World Fisheries and Aquaculture (SOFIA) and the work of other regional bodies.	APFIC can undertake its own analysis but is often **dependent upon the data collated by these other mechanisms.**

Source: APFIC Secretariat analysis.

3.4 The commission has a limited say in the identification of priorities and activities supported by FAO

FAO programmes and regular programme funding are not directly aligned with the work of APFIC and are subject to different processes for identification and approval (e.g. COFI and its subcommittees; the Asia-Pacific Regional Conference). FAO Regular Programme and FAO executed projects provide most resources that are leveraged for the work of APFIC, therefore much of the

work of APFIC is effectively undertaken through FAO Regular Programme and project cooperation mechanisms with Member Nations. Furthermore, the funding of APFIC technical workshops is discretionary, based on allocation of FAO Regular Programme funds. This limits the ability to introduce priorities identified by the commission into the FAO work programme.

Solution: *APFIC work is supported by a trust fund arrangement or autonomous budget to enable the session of the commission to determine its workplan priorities and identify and execute activities.*

3.5 FAO executes or manages projects – not the Asia-Pacific Fishery Commission

APFIC is dependent on FAO to develop, service or manage projects. APFIC is not a project execution arrangement, beyond the organization of activities within the framework of FAO. APFIC does not have an autonomous budget, or a dedicated trust fund to execute its own workplan/projects. The secretariat staff are FAO staff and subject to FAO planning and prioritization processes.

Solution: *APFIC work is supported by a trust fund arrangement or an autonomous budget.*
Solution: *A secretariat with staff that have all or some of their time dedicated to the commission.*

3.6 Asia-Pacific Fishery Commission Secretariat staff only have a part-time role

APFIC Secretariat staff increasingly spend most of their year on non-APFIC programme work. This limits their time to engage with the commission's priorities and identify resources and develop activities in response to the commission's recommendations.

Solution: *A secretariat with staff that have all or some of their time dedicated to the commission is only foreseeable under a scenario of an independent secretariat, or well-resourced trust fund arrangement.*

3.7 The Asia-Pacific Fishery Commission has no reliable source of funding

There is no membership contribution for Member Nations and APFIC does not have an autonomous budget. There is no dedicated budget for the work of the commission. This means that the commission cannot set up 'projects' to provide analysis, capacity building or advice to Member Nations. APFIC does not have a ring-fenced allocation, an autonomous budget or dedicated trust fund. Even if extra-budgetary funding may be sought, APFIC does not have its own trust fund account to manage these funds. Voluntary contributions and support for activities is bureaucratically difficult to receive. FAO also applies a servicing charge.

Solution: *APFIC work is supported by a trust fund arrangement or an autonomous budget.*

3.8 Member Nations are expected to bear the costs of an Article XIV body

FAO policy is that the FAO Regular Programme is unable to support Article XIV commission activities. Currently, this policy is interpreted in the case of APFIC activities that FAO regional programme funding is discretionary and prioritized to LDCs. This policy on the APFIC Member Nation requirement for support at participation in technical meetings of the commission means that most participants would not be eligible for travel support and thus their participation in APFIC activities would be at their countries' expense.

Virtual events and hybrid (virtual–physical) events can enable greater presentation and participation. This is a new development that has been required as a response to the limitations of travel due to the COVID-19 pandemic. The rapid emergence of virtual webinars and workshops has shown what is possible at relatively low cost, using virtual meetings. There are

disadvantages of virtual workshops, in terms of the additional preparations and constraints on personal interactions. There are also major advantages in terms of cost reductions and increased participation from countries which otherwise may not be able to attend the event. However, this option does not solve the issues of:

1. Overlapping functions with other regional bodies (FAO and otherwise).
2. The lack of dedicated time of secretariat staff to service the commission.
3. The need for resourcing to prepare the background material and analysis for the workshops and the technical resource persons who would support the workshops.
4. The inability to fund activities on identified priorities by the commission.

Solution: *Non-LDC Member Nations commit to support APFIC technical workshops by covering their costs of participation.*

Solution: *Participation at the APFIC session is covered by the Member Nation according to the APFIC Agreement.*

Solution: *Move to hybrid or virtual workshops for all commission activities, enabling remote participation of Member Nations unable to travel or cover travel costs.*

Solution: *An APFIC trust fund project established to receive voluntary contributions and donor support to cover the costs of workshops and related activities.*

3.9 The Asia-Pacific Fishery Commission is not mandated by its Member Nations to manage stocks

Member Nations opposed the introduction of wording in the IPFC Agreement that included adoption of management measures (1976). The broad geographic scope of the commission also prevents clear delineation of stocks that might be under consideration. The emergence of the two RFMOs (IOTC and WCPFC) prevents APFIC from competence on the management of tuna and highly migratory species.

3.10 The Asia-Pacific Fishery Commission functions duplicate the work of other regional organizations

There are overlapping mandates with many other regional bodies and arrangements. These bodies provide similar services to their Members as APFIC. They are described in detail in Annex L and a timeline of the evolution of the bodies competent in fisheries is provided in Annex P. In general, the overlapping or duplicating functions are given in Table A4.

Table A4. The functions and mandates of regional bodies and arrangements other than APFIC

Arrangement	Functions
Regional fishery advisory bodies	• Competent for all or more of the APFIC Member Nations in the Asian region. • Often cooperate with FAO (and APFIC) to execute or facilitate delivery of regional technical assistance and policy advice. • Develop projects or cooperate in regional projects in fisheries and aquaculture (often with FAO). • Cover marine capture fisheries and aquaculture and to some extent inland fisheries. • Analysis of regional issues in fisheries. • Provide policy and technical advice to Member Nations. • Provide training and capacity building on fisheries and aquaculture (according to mandate).
Regional fishery management organizations	• Competent for major transboundary fisheries of tuna and highly migratory species across the area of APFIC. • Development of conservation and management measures for the stocks within their competence. • Collate statistics and undertake analysis of data submitted by Member Nations to assess the status of stocks within their competence. • Provide a mechanism for regional cooperation on the management of fish stocks within their competence.
Regional environmental organizations	• Competent in marine waters for all or more of the APFIC Member Nations in the Asian region. • Cover environmental issues (pollution, nutrients, biodiversity, conservation, protection) of marine aquatic species and in some cases (e.g. IUCN) freshwater species. • Analysis of regional marine (and to a lesser extent freshwater) environmental issues. • Development of projects or cooperation in regional projects on environmental issues (some of which are directly related to capture fisheries or aquaculture). • Policy and technical advice to Member Nations on conservation and protection. • Training and capacity building on the marine environment, biodiversity conservation and protection.
Other arrangements	• Competent in the APFIC region and often cooperate with FAO (and APFIC). • Research in development of fisheries and aquaculture, social issues and small-scale fisheries. • Execute or cooperate in national and regional projects; also develop projects. • Provide training and capacity building according to their mandate.

Source: APFIC Secretariat analysis.

See full table analysis in Annex L.

Annex E: Informal consultation with selected secretariats of regional fishery bodies and regional fishery management organizations in Asia on the review of the Asia-Pacific Fishery Commission

Purpose

At the first meeting of the Ad Hoc Working Group on the Future of APFIC, convened from 18 to 19 August 2021, it was agreed that the APFIC Secretariat should conduct informal consultations with relevant RFB/RFMO secretariats. This was to inform APFIC Member Nations of the summarized perspectives of RFB/RFMO secretariats in the APFIC area on cooperation with APFIC. The consultations were intended to assess perceived gaps or overlaps of fishery development and management in the primary area of competence of APFIC in Asia, as well as recommendations for future cooperation with APFIC. This report is the summary of the findings of these consultations prepared by an FAO consultant Mr Suriyan Vichitlekarn and the APFIC Secretariat.

Background

With the assistance of an FAO consultant (Mr Suriyan Vichitlekarn) the APFIC Secretariat conducted a series of one-hour informal consultations during October and November 2021, with the following RFB/RFMO secretariats:

- Bay of Bengal Program Inter-governmental Organisation (BOBP-IGO)
- Indian Ocean Tuna Commission (IOTC)
- INFOFISH
- Mekong River Commission (MRC)
- Network of Aquaculture Centres in Asia-Pacific (NACA)
- Regional Plan of Action in Combatting Illegal, Unreported and Unregulated Fishing (RPOA-IUU)
- Southeast Asian Fisheries Development Center (SEAFDEC)

These consultations were based on semistructured interviews that drew from the findings and conclusions of the information document 'Background to the situation that limits the effective function of the Asia-Pacific Fishery Commission' presented at the first meeting of the ad hoc working group. This report is the summary of the findings of these consultations.

Main findings

The IPFC and its subsequent transition to APFIC has, since its establishment, provided an important platform for fishery advisory and governance in Asia and the Pacific. As an Article XIV body convened by FAO, APFIC is a Member Nation-led commission, that has evolved over its lifetime, in response to changing contexts of resourcing and significantly, to the emergence

of a number of RFBs/RFMOs with similar or overlapping mandates in the region. Consideration for the future of APFIC by its Member Nations needs to take into consideration what gaps or duplication of work may exist with mandates/competence of existing RFBs/RFMOs in the region.

Finding 1: *Considering respective mandates and competency, there is now no perceived significant gap in geographical and technical/thematic coverage, between existing regional RFBs and RFMOs that APFIC is filling.*

The existing RFBs/RFMOs have sufficient thematic and geographical coverage for the APFIC region and no significant gaps are perceived that APFIC is filling. In recent years APFIC has been providing a regional consultative platform to share latest development information (primarily in capture fisheries, but also in aquaculture) and to discuss cross-thematic issues and/or cross-geographical topics. However, this is largely synthesized from existing information available to or generated by FAO (including FAO RAP) as well as various RFBs/RFMOs. The provision of this information also overlaps or complements the work of these other regional organizations.

More recently, the widespread availability and use of virtual consultative platforms has massively reduced transaction costs of meetings and workshops and provided all organizations with far greater access and interaction with their constituencies. As a result, the value-addition benefits of APFIC's regional consultative platform may now be questionable and there is the risk of duplication or overlap. There are also increasing initiatives between the existing RFBs/RFMOs in promoting bilateral cooperation arrangements (with each other and FAO) to fill gaps of cross-thematic issues and/or cross-geographical topics. This further weakens the justification for the APFIC mechanism.

Finding 2: *There is no clear added value for APFIC advice for policy decision-making on top of the governance structures of the existing RFBs/RFMOs.*

All participating secretariats of RFBs/RFMOs indicated that each of their organizations has in place its governance and decision-making mandate and structure. All of the RFBs/RFMOs are autonomous and member-led and can take decisions and actions as directed by their Member Nations. In contrast, APFIC, without an autonomous budget and having a secretariat hosted by FAO, must act within these confines, limiting its ability to act on decisions of its Member Nations. Furthermore, each RFB/RFMO has its formal institutional linkage to the relevant agencies representing national governments according to their respective agreements. This gives a direct line to policy positions and commitments and the level of government representation in most RFBs/RFMOs is typically at a high level, i.e. the Director-General of the Fishery Agency. The level of representation for APFIC sessions may be at a high level, but typically is at the level of senior policy officers and sometimes lower. Thus, advisory and policy decisions through the APFIC process do not confer any higher-level impact or obvious added value beyond the existing governance structures of the RFBs/RFMOs. The only major difference is that of membership, whereby APFIC may include more Members, but this may serve to reduce focus and limit effective decision-making rather than enhancing it.

It was also noted that as a regional advisory Article XIV body of FAO, the function of APFIC also somewhat overlaps with that of COFI, without actually reporting to it. This limits any policy influence through this mechanism.

Finding 3: *Engagement of existing RFBs/RFMOs with APFIC and its activities is often made through arrangements with FAO or other mechanisms.*

All RFBs/RFMOs that have participated in APFIC activities noted that some of them may have been initiated through other mechanisms or platforms. These are, for example, activities (meetings, consultations, workshops) provided by FAO RAP or FAO headquarters' technical units. Where they have participated alongside APFIC these were mechanisms led by other RFBs/RFMOs (individually or jointly) or platforms convened by other regional arrangements (e.g. ASEAN) or international agencies (e.g. UNEP). In these cases, APFIC was represented by the secretariat participating in a technical advisory role (and which is as much an FAO function as that of APFIC). Many RFBs/RFMOs indicated that there are sufficient available regional platforms or mechanisms to address their needs.

Several RFBs/RFMOs indicated that they could not see a clear demarcation between APFIC activities and those of FAO RAP inasmuch as the APFIC Secretariat is concurrently also the fishery and technical arm of FAO RAP and the resourcing of APFIC technical work is completely provided by FAO. All RFBs/RFMOs indicated that their past collaboration has been through their relationship with the fishery and aquaculture team at FAO RAP rather than APFIC (although the same officers form the secretariat. It was noted that irrespective of the future of APFIC, the ability to cooperate with FAO RAP and FAO would continue in the future as this does not require the existence of APFIC.

Finding 4: *APFIC has limited opportunity to impact FAO priority setting in the Asian region.*

There was observation on the role and priorities of FAO RAP in the presence or absence of APFIC. Many of the RFBs/RFMOs suggested that although APFIC could set priorities, these did not impact the decision-making processes of FAO. It was suggested that APFIC could provide a similar function to COFI, but at a regional level. However, as RFBs/RFMOs (including APFIC) do not report to COFI, and the report of the APFIC session is not discussed by the Asia-Pacific Regional Conference as part of regional priority setting, there is currently no mechanism to transfer decisions and recommendations of APFIC into a higher level of priority setting within FAO structures. The result is that any decision within the APFIC framework relies on the APFIC Member Nations pursuing this in other FAO priority-setting processes.

At the same time, the Member Nations of RFBs/RFMOs can use their existing governance structures to address their priorities and needs in accordance with the relevant competency of each of the RFBs/RFMOs. All RFBs/RFMOs indicated that their cooperation with FAO would be unaffected by the absence of APFIC, as they could still reach out for support and collaboration with FAO RAP.

Finding 5: *Providing financial resources to APFIC for a work programme through a country contribution, potentially reduces resources available to other RFB/RFMs.*

The RFBs/RFMOs noted that their respective Member Nations currently provide support and resources directly to them in line with their mandates. Should APFIC be funded by its Members, this potentially reduces or competes for resources available to other RFBs/RFMOs. It was noted that if Member Nations were to increase allocations to fisheries and aquaculture sectors through regional organizations, increasing allocation to existing arrangements might improve focus, efficiency and enhance impacts.

Conclusions

APFIC has been an important fishery advisory and governance platform for the Asia and Pacific region over the years, adapting and changing to fit the evolving context. Considering the emergence of RFBs/RFMOs over the past few decades, there is now no perceived significant gap in geographical and technical/thematic coverage between existing RFBs and RFMOs that APFIC is filling and there is even potential overlap at the subregional level. APFIC does not provide additional value in regional decision-making or policy impact on its Members, beyond that which is already achieved through the FAO process and that provided by the mechanisms of the RFBs/RFMOs. The future of APFIC, as an Article XIV body convened by FAO, lies solely in the decision of its Member Nations but needs to be framed in terms of significant value addition or filling of critical gaps, to justify the allocation of resources for its work.

Based on the views and experiences of the RFB/RFMO secretariats consulted, it was still considered that APFIC could potentially play a regional role, somewhat similar to that of COFI, but focused at the regional level; however for this to be successful it would require a clear mandate to report into a higher level governance structure for FAO or its Members. It would also require clear evidence of value addition to justify a dedicated structure, staff and financial resources. In the absence of these important elements and learning from experiences of the existing RFBs/RMFOs, APFIC Member Nations may also consider that providing support and resources to further strengthening the other regional bodies will offer improved cost–benefits.

Annex F: Summary of Member Nation questionnaire responses on the future of the Asia-Pacific Fishery Commission

Purpose

This is the summary of responses by Member Nations to the questionnaire on the future of APFIC. The responses were analysed by the APFIC Secretariat as preparation of the working papers on the future of APFIC. The questionnaire responses provided by APFIC Member Nations are summarized and presented anonymously in this summary. No country-specific responses are reported.

As of 23 February 2022, **16** APFIC Member Nations had responded to the questionnaire.

Part 1: The functions of the commission

The purpose of this section of the questionnaire was to establish Member Nations' opinions about the relevance and value of APFIC. Essentially asking the question whether APFIC actually performs its function and if this function should be amended.

Asia-Pacific Fishery Commission functions

Finding 1: *Most responding Member Nations considered the functions of APFIC laid out in Article IV of the APFIC Agreement as still valid.*

Generally, the Member Nations considered the functions still valid (14/16). Specific comments on APFIC functions were:

- APFIC has performed (some of) its functions through workshops and the provision of technical and analytical materials.
- APFIC may carry out activities in line with its functions, but these activities should not duplicate work from other RFMOs including the IOTC and WCPFC.

Three responding Member Nations considered that APFIC's functions were either no longer valid, or were not applicable and noted that:

- The functions b(i) & b(ii) are not valid as they pertain to an RFMO wherein its advisory function provides specific regulatory measures that govern fisheries, compliance actions and regulatory cooperation, including dispute resolution. APFIC is not capable of delivering this in its current state.
- The role for APFIC has ended, as evidenced by a lack of substantive activities, with no discernible contribution to APFIC functions in recent years.
- APFIC functions are either covered by FAO's Regular Programme and budget, or overseen by dedicated entities in the region which are independent of FAO.
- The outcomes of APFIC meetings are recommendations that do not result in implementation.

Finding 2: *There was no major request to change or amend the functions of APFIC.*

Some 14/16 Member Nations did not provide any recommendations on changing or amending the functions.

One Member Nation proposed revision of the functions to emphasize the role of APFIC as a regional forum; strengthen involvement in controlling/eradicating IUU fishing efforts in the region; and emphasize engagement in the ecosystems approach to fisheries and aquaculture governance including responding to emergencies like aquatic pollution.

One responding Member Nation made a specific recommendation that APFIC should be suspended.

Finding 3: *APFIC Member Nations do require functions and services from APFIC as a regional fishery body under FAO, although most of these functions are provided by FAO's Regular Programme funding or FAO's field programme.*

There were positive responses to this question, however many of the actions suggested were provided directly by FAO through its programme of technical support to Member Nations. For APFIC to develop a work programme and deliver on these areas would require its own budget, provided by Member Nations to provide this function.

- To develop and carry out programmes and projects to fulfil APFIC's function according to the agreement.
- There is still an ongoing need for advice in the APFIC region to Nations to improve and promote responsible utilization of aquatic resources through the management and conservation of fisheries resources and aquaculture development.
- Provide capacity building and technical assistance for developing Member Nations in subregional areas (and to support their work in regional RFMOs/RFBs).
- Coordinate with FAO's EAF-Nansen project and support APFIC Member Nations to assess stocks and report under the UN Fish Stocks Agreement.
- Facilitate joint research in fisheries and aquaculture.
- As a consultative forum provide
    - Relevant information ensuring sustainable use of fisheries resources in the region through enhancing management of internationally shared stocks;
    - Capacity building regarding all relevant aspects of fisheries should be properly and timely provided;
    - Recommendations on measures to FAO;
    - Support to sharing of knowledge to Member Nations; and
    - Contribution to sensitization on the issue of overexploitation of marine resources in the region and options for sustainable management plans.
- Provide consultancy advice to the Member Nations for the development of their aquaculture and fisheries sectors.
- Assist Member Nations in identifying potential markets and their importing requirements.

Negative responses were that APFIC has not delivered on its functions, and what has been delivered was primarily through the FAO regional office Regular Programme and secretariat officers in the name of APFIC.

Finding 4: *There was no clear agreement whether the functions of APFIC substantially differ from the functions of FAO.*

Some 9/16 Member Nations considered that APFIC functions were not substantially different from those of FAO. There was a perception that there is overlap with programmes and activities of other FAO bodies.

Some 6/16 Member Nations considered the functions were different, noting that FAO works globally and that APFIC's work is more specific and regionally targeted. It was also noted that FAO has a global mandate for food production and food security, whereas APFIC's function is confined to aquatic resources and the APFIC area. It was added that APFIC might act as an RFMO in the region but Member Nations would need to contribute financially to enable this to be robust and effective.

Finding 5: *There were mixed responses regarding how the functions of APFIC relate to those of other intergovernmental bodies and arrangements.*

There were mixed responses, although the consideration was that although APFIC's area and functions often overlap or duplicate those of other intergovernmental regional organizations (especially the fishery-related regional organizations: SEAFDEC, NACA, BOBP-IGO). There was perceived overlap about providing advice to Member Nations in areas where regional organizations have specific mandates.

There were a number of fishery-related intergovernmental bodies where APFIC's functions were considered to be generally complementary (MRC, INFOFISH, RPOA-IUU).

It was clear that APFIC does not overlap with tuna RFMOs as it does not engage in tuna management-related work. There are possible complementary functions with respect to exclusive economic zone (EEZ) fisheries that might support RFMOs in information gathering and analysis.

In most cases, it was considered that APFIC acts as an FAO subsidiary in the Asia and Pacific region.

Table A1 provides the questionnaire responses.

Table A1. Questionnaire responses on the perceived complementarity or overlap between APFIC and other intergovernmental regional bodies and arrangements

Regional intergovernmental bodies (fishery management)	
IOTC	**DISCRETE/SEPARATE (3/10):** All work regarding tuna resources in the APFIC region is done by either the IOTC or WCPFC. Note that APFIC does not work on tuna to avoid overlap. This needs to continue to ensure there is no future overlapping/ duplication of work. **COMPLEMENTARY (3/10):** There is potential complementarity in that APFIC can focus on non-tuna resources. The IOTC Secretariat also considered there were potential complementary activities that might relate to capacity building and technical assistance to address their small-scale tuna sector. **OVERLAPPING (4/10):** No comment.
WCPFC	**OVERLAPPING (5/8):** Some overlap on area and fishery resource management functions, with the exception of tuna and other highly migratory species. **DISCRETE/SEPARATE (2/8):** Responses were mixed but general opinion was the same. However, the function of tuna management is discrete as APFIC does not engage in any aspects of tuna management work to prevent overlap and duplication. **COMPLEMENTARY (1/8):** See note on IOTC above.

Regional intergovernmental bodies or arrangements (fisheries advisory)	
SEAFDEC	**OVERLAPPING (5/7):** SEAFDEC has membership and coverage largely overlapping with APFIC and conducts various capacity-building activities. APFIC's broader regional area complements that of SEAFDEC. SEAFDEC has implemented several projects/ areas of work which are similar or overlap APFIC's area of work (although some are conducted jointly with FAO).
BOBP-IGO	**COMPLEMENTARY (1/3):** No comment. **OVERLAPPING (2/3):** No comment.
NACA	**OVERLAPPING (6/11):** General overlap of functions in the field of aquaculture. APFIC and NACA have 14 Member Nations in common. NACA seems to have few activities in training in aquaculture. However, some activities overlap with APFIC's activities. **COMPLEMENTARY (4/11):** APFIC does not have a programme that focuses on promoting rural development through sustainable aquaculture and aquatic resources management. **DISCRETE (1/11):** No comment.
INFOFISH	**COMPLEMENTARY (4/6):** INFOFISH is mostly responsible for supporting harvest and fish trade. APFIC complements INFOFISH as it can use information from INFOFISH in its regional analysis. **COMPLEMENTARY (1/6):** No comment. **DISCRETE (1/6):** No comment.
MRC	**COMPLEMENTARY (3/3):** Focus on freshwater conservation, capture fisheries and aquaculture. The MRC is responsible for promotion and cooperation in water resources and water bodies management which may overlap to APFIC in the case of freshwater fisheries.
RPOA-IUU	**COMPLEMENTARY (6/8):** RPOA-IUU focus on the promotion of responsible fishing practices, and prevention, deterrence and elimination of IUU fishing. Issues regarding IUU fishing need multilateral cooperation and the RPOA-IUU can complement the broader role and work of APFIC by informing it of activity that is specific to IUU fishing in the region. **OVERLAPPING (2/8):** It has been previously identified that work on IUU in the region which RPOA-IUU carries out does overlap/duplicate the IUU work that APFIC performs.
Regional intergovernmental bodies or arrangements (environmental advisory)	
COBSEA	**COMPLEMENTARY (2/4):** The Coordinating Body on the Seas of East Asia (COBSEA) focuses on the implementation of the East Asian Seas Action Plan and focuses on the implementation of marine environmental management (e.g. marine debris) which is complementary to APFIC. **OVERLAPPING (1/4):** Area and environmental aspects of work partially overlap. **DISCRETE (1/4):** No comment.
South Asia Co-operative Environment Programme (SACEP)	**COMPLEMENTARY (1/3):** No comment. **OVERLAPPING (1/3):** No comment. **DISCRETE (1/3):** No comment.

Economic cooperation arrangements	
ASEAN Fishery Working Group	**COMPLEMENTARY (3/5):** The ASEAN Fishery Working Group Fisheries (ASWGFi) focuses on developing policies in the ASEAN region for administration and management of fisheries in ASEAN Member Nations. It operates via the coordination and the meetings for reporting the progress, problems and framework, including, seeking donors. ASWGFi is complementary to APFIC as its focuses on ASEAN regional issues that can inform the broader work of APFIC. **OVERLAPPING (2/5):** There is some overlap with APFIC in terms of advice to members.
APEC Oceans and Fishery	**OVERLAPPING (4/5):** The Ocean and Fisheries Working Group (OFWG) under APEC is responsible for studies and research of marine resources conservation and aquaculture in the region. There are shared Member Nations. **DISCRETE (1/5):** APFIC makes no contribution to the APEC OFWG. The APEC OFWG implements a wide range of projects related to the ocean policies unrelated to the APFIC mechanism.
BIMSTEC	**COMPLEMENTARY (1/1):** The Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC) is the framework to coordinate between South Asia and Southeast Asia and promote cooperation. **OVERLAPPING (1/3):** No comment. **DISCRETE (1/3):** No comment.
The South Asian Association for Regional Cooperation (SAARC)	**COMPLEMENTARY (2/4):** No comment. **OVERLAPPING (2/4):** No comment.

Source: Member Nation questionnaire responses.

Finding 6: *APFIC's functions were considered to complement those of other research organizations, civil society organizations, conservation bodies (not constituted under an intergovernmental agreement).*

It was considered that APFIC's functions complement organizations such as Worldfish, IUCN, the International Collective in Support of Fishworkers (ICSF) and Partnerships in Environmental Management for the Seas of East Asia (PEMSEA), as APFIC has an intergovernmental status and could communicate with Member Nations on issues and raise awareness. APFIC could also use information generated by these bodies (Table A2).

Table A2. Questionnaire responses on the perceived complementarity or overlap between APFIC and other regional research organizations, civil society organizations and conservation bodies

Research organizations, civil society organizations and conservation bodies	
WorldFish	**COMPLEMENTARY (5/10):** WorldFish is complementary to APFIC as it is not an intergovernmental body and APFIC can help to share more fisheries information. APFIC can utilize the outcome of research from WorldFish to provide the relevant recommendations and guidance to Members. **OVERLAPPING (4/10):** There is some overlap of work that WorldFish executes or cooperates on Global Environment Facility (GEF) projects in fisheries for FAO. **DISCRETE (1/10):** No comment.
IUCN	**COMPLEMENTARY (5/11):** IUCN is not an intergovernmental body so APFIC can help to share more fisheries information. IUCN information on conservation can inform APFIC. IUCN areas of work are broadly related to conservation (MPAs, endangered species and so forth) environmental and ecological protection. **OVERLAPPING (3/11):** Some activities overlap with APFIC's activities. There is some overlap now that IUCN executes or cooperates on GEF projects in fisheries for FAO. **DISCRETE (3/11):** No comment.
ICSF	**COMPLEMENTARY (4/6):** As the International Collective in Support of Fishworkers (ICSF) is not an intergovernmental body, APFIC can help to share more fisheries information. ICSF has an active network across the APFIC region and is a frequent partner of FAO in matters pertaining to small-scale fisheries and fishers' rights. **OVERLAPPING (1/6):** No comment. **DISCRETE (1/6):** No comment.
PEMSEA	**COMPLEMENTARY (6/8):** PEMSEA is not an intergovernmental body so APFIC can help to share more fisheries information. **OVERLAPPING (1/8):** There is some overlap between PEMSEA and APFIC in relation to both mandates regarding coasts and fisheries. **DISCRETE (1/8):** PEMSEA has focused on marine spatial planning although now it covers a range of activities including MPAs.

Source: Member Nation questionnaire responses.

Finding 7: *Most responding Member Nations considered that existing subregional/regional bodies and arrangements have sufficient coverage and capacity to replace APFIC's functions.*

Some of the higher-level functions of APFIC fall within FAO's mandate. These are covered under FAO's regional and global cooperation programmes for capacity building, monitoring of resources, project/programme development.

Overlapping functions with other competent regional arrangements can be a justification for suspending or abolishing a regional commission (e.g. the IOFC).

Some 9/16 Member Nations considered that APFIC's functions were sufficiently covered by other organizations and that there was overlap in the functions.

- Considering the emergence of a range of subregional/regional bodies some of APFIC's functions may overlap or be redundant. For most, if not all, of APFIC functions it is apparent that one or more fisheries bodies in the region conducts overlapping activities. These bodies are fully funded by their Member Nations.

- APFIC itself does not contribute directly to the bodies, as cooperation is via the secretariat and its FAO programmes.
- This is particularly the case for capacity building and management of international stocks which are fully covered by other organizations (IOTC and WCPFC). It was also noted that the mandate of NACA strongly overlaps with APFIC.
- The nature and agreement of APFIC may therefore be out of date and require reform.
- It was noted that APFIC and subregional/regional bodies all play a role in the Asia and Pacific region and can continue to provide support but steps should be taken to ensure that work carried out by APFIC does not duplicate that of subregional/regional bodies.

The remaining 6/16 Member Nations considered that coverage was insufficient, however justifications were based largely on APFIC's role as an FAO mechanism. It was noted that:

- There is a requirement for an FAO Regional and Global Cooperation Programme for Capacity Building, Resource Management, Project/Programme Development to complement existing organizations.
- RFMOs mostly focus on fishery resources management and APFIC can cover different objectives and areas.

The Asia-Pacific Fishery Commission area

The loosely defined area of competence in Article IV of the APFIC Agreement and lack of specific focus on any particular stocks or resources is an additional barrier to establishing a well-defined function and purpose for APFIC's work. This may be an advantage in the respect that it allows APFIC a general mandate to provide overviews of status or resources and issues in fisheries and aquaculture, but it constrains the ability of the commission to elaborate management measures and develop binding resolutions among its Member Nations.

The questionnaire asked Member Nations if they were in agreement with the interpretation that for the practical purposes of its work, the area of competence of APFIC as given in Article VI, (i.e. the Asia and Pacific area) shall cover the subregional areas of the EEZ and territorial waters and contiguous high seas of the APFIC Member Nations. These areas have been endorsed in various resolutions of the FAO Council, and the commission itself.

"The EEZ waters of Member Nations in the Asian region and contiguous waters of northern Australia. In particular, the Large Marine Ecosystem areas of: the Bay of Bengal, South China Sea, Yellow Sea and the Sulu-Sulawesi Marine Eco-region and the Arafura-Timor sea. Asian inland waters of the APFIC Member Nations."

Finding 8: *Most of responding Member Nations agreed to the APFIC area as currently specified and did not consider a need for amendment.*

Most Member Nations (7–10/16) agreed to the area as currently specified and considered there was no reason or justification to amend the APFIC area as currently applied. The following reasons were given:

- The APFIC area has been endorsed in various resolutions of the FAO Council, and the commission itself.
- As an advisory commission, it is appropriate to include all waters in the Asia and Pacific region to discuss various fisheries issues.
- The area complies with Article VI – Area: "The Commission shall carry out its functions and responsibilities as outlined in Article 4 in the Asia-Pacific Area."
- APFIC is not needed for aquaculture, as NACA can cover the entire area for aquaculture.
- The negative responses were primarily in relation to the sovereignty of EEZ waters. A specific objection was raised by one country regarding the policy matter of including territorial seas within the mandate of APFIC or an RFMO. Another Member Nation noted that some of the specified bodies of water are under the RFMO convention area with particular reference to tuna fisheries and other highly migratory stocks.

Table A3. Questionnaire responses from Member Nations regarding the APFIC area

Subregional area	Yes	No	NA
The EEZ waters of Member Nations in the Asian region and contiguous waters of northern Australia *(exceptions: United States of America, France, United Kingdom of Great Britain and Northern Ireland and New Zealand)*	10	4	2
Bay of Bengal (this includes the Andaman Sea, Straits of Malacca)	9	3	3
South China Sea (this includes the Gulf of Thailand, Natuna Sea, Beibu/Bac Bo Gulf)	10	3	3
Sulu–Sulawesi Eco-region/Sulu–Celebes Sea	8	4	3
Arafura–Timor Sea	8	4	3
Yellow Sea	7	3	5
Asian inland waters of APFIC Member Nations	9	4	3

Source: Member Nation questionnaire responses.

Part 2: Suspend or continue the work of the commission?

This section of the questionnaire asked the major question regarding the immediate future of the commission and its activities.

Finding 9: *All responding Member Nations agreed that a decision must be made regarding the future and effectiveness of the commission.*

All responding Member Nations (16/16) agreed that the APFIC Member Nations should make a collective and clear decision on the future of APFIC to ensure that the commission is an effective regional body.

Finding 10: *There was no clear agreement regarding whether the commission should continue or suspend its activities.*

Regarding a preference to continue or suspend the activity of the commission, there was an even split:

Continue: Eight responding Member Nations considered the commission should continue its activities.

Suspend: Eight responding Member Nations considered the commission should be suspended. Of these, seven considered it should be suspended and then the decision be revisited after five years and one Member Nation considered the commission should be suspended indefinitely.

Part 3: Options for the future of the commission

Continuation, suspension or abolition?

Finding 11: *There was no clear agreement regarding options for the future.*

Seven responding Member Nations thought that APFIC should continue as an Article XIV body partially funded by its Members. (**Note:** This implies financial contribution to support the commission's activities – see Part 4 'Resourcing'.)

Five responding Member Nations considered that APFIC should not be an Article XIV body partially funded by its Members.

Five responding Member Nations specifically answered it should not be an independent body, however ten Member Nations did not respond to this question. Only one responding Member agreed that APFIC should become an independent body operated and funded by its membership. (**Note:** This responding Member did not agree to provide any financial contribution in subsequent questions.)

As no alternatives were suggested, other options may be considered by the ad hoc working group.

Operation of the commission's activities

Finding 12: *Most Member Nations agreed with the current arrangements for the regular session.*

It was generally agreed by 10/16 Members and given the highest priority ranking score (1), that the APFIC session should be convened in hybrid mode to enable Member Nations to participate physically if they wished, with the option to participate virtually.

Some 12/16 countries agreed with the current situation of the session meeting physically, however, this did not receive a high priority ranking (3). The lower priority for a fully physical session indicates some preference to enable countries the option to participate virtually.

A few countries (6/16) agreed to the virtual option for the APFIC session, however, this was ranked second.

Another less favoured option (9/16) and lowest priority option (4) was a rotating chair with the choice decided at the preceding session.

Table A4. Questionnaire responses from Member Nations regarding costs and organization of the APFIC session

Option	Yes	No	NA	Total score (lowest score is highest priority)
Member Nations covering the cost of the physical participation of their delegations. Member Nations not sending physical delegations, participate in virtual mode.	10	2	4	27
The commission session meets physically, with all Member Nations covering the cost of the participation of their delegations (current situation).	12	2	2	33
The commission's regular session is convened in virtual mode only.	6	5	5	30
The chair of the commission rotates in alphabetical order. The decision on the format of the commission's regular session is decided at the preceding session according to the new chair country's capacity to host physical, hybrid or virtual sessions.	9	3	4	36

Source: Member Nation questionnaire responses.

Finding 13: *There was no clear agreement on the format and arrangements for the executive committee.*

There was mixed opinion regarding the meeting of the executive committee with options for hybrid mode and the decision to convene physically or virtually all being supported to some degree.

The priority rankings did not indicate any strong preference for any of the options (all scores were between 30 and 33). The current situation of a physical executive committee meeting with the costs covered by FAO was favoured (13/16) equally with the format decided at the preceding APFIC session (13/16). Hybrid mode was slightly lower (11/16) and only seven countries chose the fully virtual arrangement.

Table A5. Questionnaire responses from Member Nations regarding costs and organization of the executive committee

Option	Yes	No	NA	Total score (lowest score is highest priority)
The executive committee meets physically, with FAO covering the cost of the participation of executive committee members (current situation).	13	1	2	33
The decision on the mode of the executive committee meeting is decided at the preceding session of the commission.	13	0	3	32
The executive committee meets in hybrid mode, with FAO covering the cost of the physical participation of executive committee members. Executive committee members have the option to participate virtually.	11	1	4	30
The executive committee is convened in virtual mode only.	7	5	4	32

Source: Member Nation questionnaire responses.

Finding 14: *Most responding Member Nations consider it a high priority that APFIC studies and analyses are supported by the FAO Regular Programme.*

The responses to this question were fairly clear. Most responding Member Nations (12/16) considered it a high priority that APFIC studies and analyses under the APFIC work programme are supported by the FAO Regular Programme, subject to FAO's prioritization and planning processes (first priority). The second priority was through ad hoc resourcing identified by the secretariat – 11/16 responding Members (but ranked lower at 28). If this resourcing is not identified then the activities will not be undertaken.

There was some support for work funded under a trust fund based on voluntary contributions (9/16), and limited support (5/16) for a dedicated trust fund based on mandatory contributions. Both of these options were given low priority (3 and 4 respectively). Importantly, those countries that indicated their agreement for a trust fund arrangement did not subsequently agree to provide either voluntary or assessed contributions in the subsequent questions in Part 4.

Table A6. Questionnaire responses from Member Nations regarding costs and organization of APFIC studies and analyses

Option	Yes	No	NA	Total score (lowest score is highest priority)
The work programme prioritized by the commission is supported by the FAO Regular Programme, subject to FAO's prioritization and planning processes (current situation).	12	0	3	22
The work programme prioritized by the commission is supported by ad hoc resources as identified by the secretariat. If no resources are identified, activities will not be undertaken.	11	1	4	28
The work programme of the commission is supported by a dedicated trust fund, resourced by voluntary contributions.	9	3	4	34
The work programme of the commission is supported by a dedicated trust fund, resourced by a mandatory, assessed contribution.	5	7	4	43

Source: Member Nation questionnaire responses.

Finding 15: *Most responding Member Nations considered it a high priority that non-LDC Member Nations cover their cost of participation in APFIC technical workshops and that participation of LDC Member Nations is supported by FAO's Regular Programme.*

The responses to this question were fairly clear. The Member Nations (11/16) considered it a high priority (ranked 1) that non-LDC Member Nations cover the cost of participation in APFIC technical workshops convened by the commission under the work programme; and that participation of LDC Member Nations is supported by FAO's Regular Programme at the discretion of FAO according to the current policy.

Table A7. Questionnaire responses from Member Nations regarding costs and organization of APFIC technical workshops

Option	Yes	No	NA	Total score (lowest score is highest priority)
Non-LDC Member Nations cover the cost of participation in APFIC technical workshops convened by the commission under the work programme; participation of LDC Member Nations is supported by FAO's Regular Programme at the discretion of FAO (current policy).	11	2	3	20
APFIC workshops, capacity-building and technical meeting activities to be proposed and funded by a Member and endorsed for the biennial work programme by the commission at its regular session.	11	1	4	39
Member Nations cover the cost of participation of their nominated delegates to workshops and meetings.	8	4	4	29
Organizational costs and participation in workshops and technical meetings is supported by a trust fund arrangement.	8	3	3	37
APFIC workshops are only conducted in virtual modality with no physical participation.	7	4	3	36

Source: Member Nation questionnaire responses.

There was agreement for countries to propose and fund capacity-building and technical activities (11/16); however, this received a lower prioritization (4). Additionally, responses in subsequent questions in Part 4 indicated Members were unwilling or unable to provide such financial contributions.

The second ranked priority option was for all Members to support their participation costs, irrespective of their economic status, but only half of the responding countries agreed to this option (8/16).

There was some agreement (9/16) that workshops could be funded through a trust fund arrangement, this option was given the lower priority (overall ranked 3).

The option for virtual workshops was given lowest priority (5) and had the least support (7/16).

Part 4: Resourcing

This section of the questionnaire explored Member Nations' opinions on whether APFIC should implement a programme independent from FAO resourcing.

The current FAO funding for APFIC activities is discretionary and rarely sufficient to operate a programme. It can only cover the cost of a workshop or publication/technical review if the FAO Regular Programme is approved during the biennial workplanning process of FAO RAP. The approval process is not linked to the recommendations of the commission session and is primarily driven by priorities determined through other FAO processes such as the Asia-Pacific Regional Conference.

APFIC Secretariat staff are employed by FAO and have many other duties to perform under the FAO work programme. The APFIC technical assistant position has been dissolved. The activities of FAO staff in support of the APFIC Secretariat are at the discretion of FAO RAP.

The 36th session recommended that APFIC explore the potential of a trust fund and the questionnaire sought to establish the Member Nations' interest in establishing and contributing to an APFIC trust fund mechanism as an alternative to FAO Regular Programme funding.

Member Nation willingness or ability to provide financial resources to support the work of the commission

Finding 16: *There was no clear agreement about whether APFIC should implement its own programme of work from a funding resource independent of FAO's Regular Programme.*

There were mixed responses to this question, with nine Member Nations indicating that an APFIC programme should be independently funded. The Member Nations noted that this required resources to be secured. However, subsequent responses on resourcing indicated countries are unwilling to provide this funding and do not agree to a mandatory contribution (next question).

Six Member Nations considered that FAO's Regular Programme should continue to support APFIC activity. It was further considered that this was necessary to maintain the linkage with FAO programmes. It was also noted that Member Nations already provide contributions to FAO and that additional funding to APFIC would be a burden.

One Member Nation thought that APFIC should be an independent organization for the region. A more specific opinion was that if APFIC is to continue, it should be resourced by those with an interest in its operations. Any services provided by FAO should be cost-recovered from Members and not funded through the FAO budget.

Finding 17: *Even though APFIC is a body established under Article XIV of the FAO Constitution (item 3a), most Member Nations indicated that they were unwilling to provide contributions to support the activities of the commission, as specified in Article VIII of the APFIC Agreement.*

Nine Member Nations specifically responded that they were unwilling, or unable, to provide contributions.

Although six Member Nations indicated that APFIC Member Nations should provide a contribution to support the activities of the commission as specified in Article VIII of the APFIC Agreement, it should be noted that this response was contradicted in a subsequent question,

as two responding countries did not agree to pay any form of financial contribution. Specific reasons for these responses included:

- Member Nations have ongoing and pre-existing commitments to other membership arrangements (many of which overlap with APFIC and include membership contribution to FAO).
- Current economic conditions (including the impacts of COVID-19) preclude consideration of a financial contribution to APFIC.

Two Members agreed to a contribution but emphasized that this should be voluntary. Another Member indicated that contributions would be contingent on revision of the APFIC functions and a clear strategy.

Finding 18: *Most Member Nations did not agree to provide funding to support the secretariat activities of the commission.*

The APFIC Secretariat comprises full-time FAO staff who have other duties to perform. There are no dedicated technical or administrative staff to assist Member Nations in implementing activities as required. Members were asked if their governments would consider the possibility of providing a contribution to support the activities of the commission.

Most (11/16) Member Nations did not agree to provide funding to support the activities of the commission. One Member Nation reconfirmed its consideration that the commission's activities should be suspended.

Although four Member Nations indicated a willingness to provide a contribution to support the activities of the commission, several did not indicate that they were willing to provide contributions. One of these Members said that it was willing to provide support in-kind to the secretariat.

Mechanism for contributions

Member Nations already support the participation of their representatives at the regular session of the commission. The questionnaire sought to establish what sort of financial contribution Member Nations would be willing to consider to support the work of APFIC.

Finding 19: *Most Member Nations agreed to cover the cost of their own representatives at the regular session of the commission (current situation).*

The results indicated that most (14/16) responding Member Nations were almost all in agreement with the current situation, whereby they cover the cost of their representatives to the regular session of the commission. One Member noted that there should be support for LDC countries to participate.

Two Member Nations did not agree to cover the cost of their representatives to the regular session.

Finding 20: *Most Member Nations did not agree to provide an assessed annual contribution to a trust fund based on an agreed scale.*

Most (13/16) responding Member Nations did not agree to provide an annual assessed contribution to a trust fund. Only two Members agreed to an assessed contribution (noting the contradiction, that in a previous question, one country did not agree to pay a financial contribution and the other indicated any contribution should be voluntary).

Finding 21: *There was no clear agreement on whether Member Nations could provide voluntary contributions under a trust fund for specific activities or projects in which they would participate.*

There were mixed responses to this question. Seven responding Member Nations did not agree with voluntary contributions to a trust fund arrangement.

Six Member Nations agreed that voluntary contributions may be made for specific activities under a trust fund. However, some of these Members also indicated that they were not currently in a position to provide such contributions. One Member Nation indicated that it would make contributions for specific activities or projects in which it would participate, but also noted it was not in a position to be active within the commission.

In conclusion almost all Member Nations indicated that no voluntary contributions would or could be provided.

Annex G: Options for the future of the Asia-Pacific Fishery Commission

Purpose

This annex summarizes the options for the future of APFIC based on the analysis in the review document and feedback from Member Nations. This incorporates advice from the legal office to the APFIC Secretariat on the proposed options for the future of the commission. The ad hoc working group is invited to consider this guidance in their deliberations on the options.

Based on the findings of the draft background review documents, various options for the future direction of APFIC are outlined. The FAO legal office was also requested to provide advice to the APFIC Secretariat on the legal and procedural implications of the options, which are to be discussed by the ad hoc working group on the future of APFIC.

Option 1: Continue the activities of the commission

Half of the Member Nations responding to the questionnaire indicated their preference for this option. However, for this to be successful and to ensure that APFIC improves its effectiveness, the matter of resourcing of the commission's activities requires resolution.

A draft resolution for continuation of activities can be prepared by the ad hoc working group and considered at the 37th Session of the Commission (a draft example is provided in Annex H).

Option 1.1: Revise the commission's agreement and rules of procedure to provide for regular financing of activities based on regularly assessed Member Nation contributions[2]

- APFIC becomes an Article XIV body with an autonomous budget in the format of the IOTC and GFCM.
- Establishment of an autonomous budget based on assessed annual or biennial contributions.
- Establishment of a system for assessing those contributions.
- Determine whether it is possible to finance an autonomous secretariat.
- Amend the agreement and rules of procedure accordingly.

Considerations related to this option

- Member Nations' questionnaire responses have almost unanimously indicated they are unwilling or unable to consider assessed contributions.
- Estimates of the financial resources required to fund the commission and costs of a secretariat were provided in Annex H (page 35) of the report of the APFIC Special Session held in Rome, Italy, 17 February 1999 and report of the Ad Hoc Legal and Financial Working Group held in Bangkok, Thailand, 6–8 July 1999.[3]

[2] As provided for in the Basic Texts, Section O Appendix, para. 33 (c).

[3] https://coin.fao.org/coin-static/cms/media/5/13170335336810/2000_04_high.pdf

Option 1.2: Establish a commission trust fund to receive voluntary contributions and donor support to cover the costs of workshops and other activities[4]

- The trust fund is established in accordance with FAO Financial Regulation 6.7 and operated as an FAO project. Its use is advised by the commission.
- Amendment to the APFIC Agreement and Rules of Procedure to provide for the management by FAO of a trust fund.
- The secretariat continues to be provided by FAO RAP.
- The APFIC Secretary remains part-time and must conduct APFIC-related work as part of broader FAO duties as a regional fisheries officer.

Considerations related to this option

- Member Nations were open to this option in their questionnaire responses.
- However, few Member Nations have specifically indicated a willingness and/or ability to contribute to a trust fund on a voluntary basis, which suggests this option would not function effectively.
- Without regular contributions to a trust fund, and relying on donor and ad hoc resourcing, there would still be considerable uncertainty over the funds available to conduct an APFIC work programme.
- The APFIC Secretary and Secretariat would have to continue to manage time commitments to cover the FAO regional office work programme and the commission's work programme, as is the current situation.
- Some costs could be reduced and more activities would be possible by moving as much of the activity as possible to a virtual mode. Member Countries have indicated this is not a preferred option.

Option 2: Suspend activities of the commission

- The commission, by majority vote, decides to suspend all activities for an agreed period of time.
- Suspended activities would include: The commission's regular session and executive committee meetings, the regional consultative forum meeting, technical workshops and publications.
- The justification for such a decision includes:
  - Overlapping mandates and duplication with other intergovernmental regional organizations.
  - Lack of recent substantive output of the commission in terms of activities, meetings, information products and decisions.
  - Sessions of the commission only just reaching quorum (<14/21 Member Nations participating in the regular session), indicating low priority of the activities of the commission for Member Nations.

[4] As provided for in the Basic Texts, Section O, Appendix, para. 33 (b).

- The APFIC Secretary would focus on his role as the regional fisheries officer to support FAO's Regional Office Programme in fisheries and aquaculture.
- FAO' Regional Office Programme in fisheries and aquaculture would focus on supporting and strengthening cooperation through subregional organizations or subregional working groups using available FAO programme support:
    - In fisheries with SEAFDEC, BOBP-IGO, NACA, INFOFISH, RPOA-IUU and so forth.
    - In aquaculture activities pursued as part of the aquaculture platform activities under FAO cooperation with NACA and other relevant regional organizations (SEAFDEC-AQD Philippines, Freshwater Fisheries Research Center of the China Academy of Fisheries (FFRC), China, Central Institute for Freshwater Agriculture (CIFA), India).
    - These activities would be decided outside of the mandate of the commission.
- The commission is reconvened with the incumbent chair Member Nations after a certain number of years (e.g. five years) and the Member Nations reconsider options as follows:
    - Continued suspension of activities.
    - Termination of the APFIC Agreement after consultation with the depositary, i.e. the director-general.
    - Revision of the APFIC Agreement and Rules of Procedure to establish an autonomous budget.

Considerations related to this option

- Nearly half of the Member Countries chose this option in their questionnaire responses.
- The suspension can be for a fixed period but not be indefinite.
- The current APFIC programme is funded under FAO's Regular Programme. Activities that are considered regional priorities would continue to be explored and addressed through FAO RAP's work in fisheries and aquaculture.
- The secretariat would be able to dedicate more time to these activities, without the added responsibilities of preparing and organizing the commission's regular session and executive committee meetings and the associated documentation.
- Activity with regional organizations would move toward complementary/ supporting activity.
- There is some precedent with the International Rice Commission (IRC), a statutory body established by treaty under Article XIV of the FAO Constitution. At its special session in June 2013, the commission took steps to suspend its activities, as reported in 2013 by the Committee on Constitutional and Legal Matters to the 148th Session of the FAO Council.
- A draft resolution for suspension of activities can be prepared by the ad hoc working group and considered at the 37th Session of the Commission (a draft example is provided in Annex I).

Option 3: The Member Nations of the commission agree to terminate the agreement

- The APFIC Agreement provides for termination through withdrawal of Member Nations (Articles XIII and XV). If the number of Member Nations falls below five, the agreement will be considered terminated.
- The FAO regional conferences, and the director-general, may review bodies, such as APFIC, established pursuant to Article XIV of the FAO Constitution, in order to assess whether they are functioning effectively in the service of the Members of FAO.[5]
- If it is considered that APFIC is inactive or has outlived its usefulness, the director-general may recommend that the Council invite APFIC Member Nations to consider terminating the agreement by withdrawal.

Considerations related to this option

- There is the precedent of the abolition of the IOFC,[6] which was an RFB established under Article VI of the FAO Constitution. (APFIC is Article XIV). Abolition was justified in the light of its overlapping mandate with other regional organizations and the emergence of competent fishery bodies in its area of competence.
- In previous reviews, the consideration of the continuing relevance of APFIC was founded on gaps in regional coverage at the time.
    - The emergence of competent regional fisheries mechanisms in Area 71 (SEAFDEC, WCPFC) and the Bay of Bengal (IOTC, BOBP-IGO, SEAFDEC), and the formation of NACA for aquaculture (with membership across Asia), suggests that there is capacity to provide the same services as APFIC.
    - This was noted by Member Nations when responding to the APFIC questionnaire.
    - As most work which is reported to the regular session for funding and executed by the FAO Regional Office Regular Programme, this function would continue outside the framework of the commission
- There is also the example of the IRC, a body established pursuant to Article XIV of the FAO Constitution.
    - As part of the draft resolution to suspend the activities of the IRC, it was noted that Member Nations wishing to withdraw could give notice accordingly.
    - In the case of APFIC, the agreement requires Member Nations to give notice of withdrawal and when there are five remaining Members, the commission would be considered terminated unless the remaining Members unanimously decided otherwise.
    - An example of an instrument of withdrawal is provided in Annex J.

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[5] Section O of the Basic Texts, Addendum III, Resolution No. 12/79 of the Twentieth Session of the Conference, *Procedure for the Establishment and Abolition of Statutory Bodies,* paragraphs 2 and 3.

[6] www.fao.org/3/x6950e/x6950e0g.htm FAO Council Resolution 1/116, *Abolition of the Indian Ocean Fishery Commission and Its Subsidiary Bodies* Report of the Council of FAO, 116th Session, Rome, 14–19 June 1999. Doc. CL116/REP, p. 25.

Annex H: Draft resolution for suspension of the activities of the commission

CONSIDERING that the Asia-Pacific Fishery Commission (APFIC) was originally established as the Indo-Pacific Fisheries Council (IPFC) under Article XIV of the FAO Constitution, through a Resolution approved by the FAO Conference, at its fourth Session in 1948, with the purpose of "promoting the full and proper utilization of living aquatic resources by the development and management of fishing and culture operations and by the development of related processing and marketing activities in conformity with the objectives of its Members";

NOTING that the Agreement of APFIC came into force on 9 November 1948, upon acceptance by sixteen Member Nations of the Organization, and that at present 21 Member Nations have deposited instruments of acceptance of the Agreement, thus becoming Members of the Commission;

RECALLING the recommendation of the 36th Session of the Commission that the future of APFIC should assessed by its Members;

BEING AWARE OF the lack of an autonomous budget or other dedicated resources to conduct activities under a work programme to be directed by the Commission and to inform its deliberations;

RECOGNIZING that the Commission has assiduously pursued and fulfilled the objectives for which it was established in 1948;

EXPRESSES ITS APPRECIATION for the work accomplished over the years by the Commission, its Members and FAO;

ACKNOWLEDGING that the APFIC focus area of activity as agreed by the Commission, overlaps the area of competence of two Regional Fishery Management Organizations (IOTC and WCPFC), two inter-governmental Regional Fishery Bodies competent in fisheries in Southeast and South Asia (SEAFDEC, BOBP-IGO), one intergovernmental network competent in Aquaculture in Asia (NACA) and intergovernmental organizations related to fishery trade in Asia (INFOFISH), as well as a wide range of fora, programmes, specialized meetings and networks dealing exclusively with fisheries and aquaculture in the Asia and Pacific region;

DECIDES that the Asia-Pacific Fishery Commission shall suspend all its activities and operations for a period of 5 years, following which the Members may convene a new Special Session to again consider the future of APFIC;

HIGHLIGHTING that suspending should not be construed as a reduction in the commitment by FAO and the APFIC Members with respect to responsible fisheries and aquaculture and achieving the Sustainable Development Goal targets in relation to these sub-sectors.

Annex I: Draft resolution for continuation of the activities of the commission

CONSIDERING that the Asia-Pacific Fishery Commission (APFIC) was originally established as the Indo-Pacific Fisheries Council (IPFC) under Article XIV of the FAO Constitution, through a Resolution approved by the FAO Conference, at its fourth Session in 1948, with the purpose of "promoting the full and proper utilization of living aquatic resources by the development and management of fishing and culture operations and by the development of related processing and marketing activities in conformity with the objectives of its Members";

NOTING that the Agreement of APFIC came into force on 9 November 1948, upon acceptance by sixteen Member Nations of the Organization, and that at present 21 Member Nations have deposited instruments of acceptance of the Agreement, thus becoming Members of the Commission;

RECALLING the recommendation of the 36th Session of the Commission that the future of APFIC should assessed by its Members;

BEING AWARE OF the lack of an autonomous budget or other dedicated resources to conduct activities under a work programme to be directed by the Commission and to inform its deliberations;

RECOGNIZING that the Commission has assiduously pursued and fulfilled the objectives for which it was established in 1948;

EXPRESSES ITS APPRECIATION for the work accomplished over the years by the Commission, its Members and FAO;

ACKNOWLEDGING that for the Commission to effectively fulfill its function, adequate resourcing for its work programme is required;

DECIDES that the Asia-Pacific Fishery Commission shall establish a [trustfund supported by voluntary/system of assessed contributions] administered by the Director-General in conformity with the Financial Regulations of the Organization in support of its activities and operations; and that the necessary amendments to the Agreement and rules of procedure will be undertaken to effect this.

AGREES that the financial arrangement will be established within a period of not more than 5 years.

Annex J: Sample instrument of withdrawal

Date.....

Sir,

I have the honour to refer to the Constitution of the Asia-Pacific Fishery Commission, which was approved by the Fourth Session of the FAO Conference in November 1948 and to inform you that the Government of [country] hereby withdraws from the Constitution, pursuant to the provisions of Article XIII, paragraph 1.

Accept, Sir, the assurance of my highest consideration.

[Signature by one of the following authorities]

- Head of State
- Head of Government
- Minister of Foreign Affairs
- Minister of the Department concerned

[SEAL]

Mr Qu Dongyu
Director-General
Food and Agriculture Organization of the United Nations
Viale delle Terme di Caracalla
00153 ROME
Italy

Annex K: Summary of the Member Nation responses to the Director-General, FAO letter (2002)

Number of responding Member Nations	General responses (as of 16 July 2003)
5	Not in a position to pay contributions.
8	APFIC may assume the role of a regional consultative forum.
2	Support the existing practice of supporting delegates to meetings etc.
5	Financial contribution to APFIC should be voluntary, in cash or in kind. Future support to APFIC limited to involvement on a project-by-project basis. Choose to help cover the costs needed to conduct cooperative research or projects initiated by APFIC in which the country takes part. Willing to provide contribution in kind for in-country activities of the commission.
1	Agree in principle to effect contributions, subject to approval of the government.

Annex L: Functions and mandate of regional organizations and arrangements that the Asia-Pacific Fishery Commission may overlap or duplicate

Intergovernmental arrangements	Broad function	Comment/observation
Fishery advisory bodies		
Southeast Asian Fisheries Development Center (SEAFDEC)	**Membership:** Cambodia, Indonesia, Japan, Lao People's Democratic Republic, Malaysia, Myanmar, Philippines, Singapore, Thailand, Viet Nam A competent intergovernmental regional fishery advisory body covering all waterbodies (marine and freshwater) among its members. It has no assigned functions to manage fish stocks. Provides capacity building, analysis, policy advice and other functions for capture fishery development, aquaculture development and postharvest activities in the Southeast Asian region. Has an agreement to provide scientific advice to ASEAN. Also acts as an executing agency for FAO GEF projects and provides services to many Southeast Asian regional fishery and aquaculture activities for FAO under a Letter of Agreement (LoA) with both RAP and FAO headquarters. Funded through membership contribution, Member Nation resourcing of SEAFDEC's centres, trust funds and execution of regional donor-funded projects.	Includes eight APFIC Member Nations. Functions broadly similar and overlapping APFIC, but specific to Southeast Asia.
Bay of Bengal Programme Inter-Governmental Organisation (BOBP-IGO)	**Membership:** Bangladesh, India, Maldives, Sri Lanka A competent intergovernmental regional fishery advisory body covering marine capture fisheries among its members with a focus (but not exclusive to) on small-scale fisheries. It has no assigned functions to manage fish stocks. Established out of the FAO Bay of Bengal Programme (FAO is the repository for the agreement). Provides capacity building, analysis, policy advice and other functions for capture fishery development, small-scale fisheries issues for its members in the Bay of Bengal region. Acts as an executing agency for FAO GEF projects and provides services for South Asia-focused regional fishery activities for FAO under an LoA with both RAP and FAO headquarters. Funded through membership contribution and execution of regional donor-funded projects (including FAO).	Includes three APFIC Member Nations. **Functions overlap with** APFIC, but specific to the Bay of Bengal/South Asia.

Intergovernmental arrangements	Broad function	Comment/observation
Network of Aquaculture Centres in Asia Pacific (NACA)	**Membership:** Australia, Bangladesh, Cambodia, China, China, Hong Kong SAR, India, Indonesia, Iran (Islamic Republic of), Lao People's Democratic Republic, Malaysia, Maldives, Myanmar, Nepal, Pakistan, Philippines, Sri Lanka, Thailand, Viet Nam **Agreement:** https://enaca.org/enclosure.php?id=853 A competent intergovernmental regional advisory body for aquaculture covering all waterbodies (marine, brackish and freshwater) among its members. Established out of the FAO regional aquaculture development programme (FAO is the repository for the agreement). Provides capacity building, analysis, policy advice and other functions for regional aquaculture development in the Asian region. Has cooperated with FAO in the execution of FAO aquaculture projects and provides services to many Southeast Asian regional aquaculture activities for FAO under an LoA with both RAP and FAO headquarters. Funded through membership contribution, Member Nation resourcing of the NACA lead centres, trust fund projects and execution of regional donor-funded projects.	Includes 14 APFIC Member Nations. Functions for aquaculture development and geographic mandate **completely overlap with APFIC in the Asian region.** The commitment by APFIC to cooperate with NACA and not duplicate its functions has been identified and is a guiding policy for the aquaculture work of the commission.
INFOFISH	**Membership:** Bangladesh, Cambodia, Fiji, Iran (Islamic Republic of), Malaysia, Maldives, Pakistan, Papua New Guinea, Philippines, Solomon Islands, Sri Lanka, Thailand An intergovernmental organization providing marketing information and technical advisory services to the fishery industry of the Asia and Pacific region and beyond. INFOFISH was originally launched in 1981 as an FAO project. Leading source of marketing support for fish producers and exporters in Asia and the Pacific – a region which includes some of the largest fishing nations in the world. Its activities include bringing buyers and sellers together. Publishes current and long-term marketing information and operation of technical advisory and specialized services for fishery and aquaculture products. Fully funded from members' in-kind contributions and income from organizing exhibitions, conferences, workshops, seminars and training programmes. Also undertakes consultancies on all aspects of fisheries – preharvest, harvest and postharvest. Regular provider of services to FAO and FAO projects under an LoA.	Includes seven APFIC Member Nations. Functions for postharvest fisheries and trade development as well as geographic mandate **overlap with APFIC** in the Asian region. Membership slightly divergent but aligned to FAO RAP.

Intergovernmental arrangements	Broad function	Comment/observation
RPOA-IUU	**Membership:** Australia, Brunei Darussalam, Cambodia, Indonesia, Malaysia, Papua New Guinea, Philippines, Singapore, Thailand, Timor-Leste, Viet Nam Building regional cooperation around the issue of combating IUU fishing in the Asian region. Sharing of IUU information, vessel lists and capacity-building activities. Work also includes regional and international organizations as observers (e.g. SEAFDEC, APFIC as an RPOA-IUU advisory body, observers: NOAA, International Criminal Police Organization (INTERPOL), Commonwealth Scientific and Industrial Research Organisation (CSIRO), Coral Triangle Initiative on Coral Reefs Fisheries (CTI-CFF) and the European Union). Fully funded from members' in-kind contributions and project/trust fund activities supported by donors.	Includes eight APFIC Member Nations. **Work on IUU in the region duplicates work of APFIC** (although there are some complementary activities). The specific focus of RPOA-IUU on IUU fishing gives a clearer mandate.
Mekong River Commission (MRC)	**Membership:** Cambodia, Lao People's Democratic Republic, Thailand, Viet Nam Regional cooperation arrangement for the water and living resources of the Lower Mekong Basin (it is not primarily a fishery body, could be better considered an environmental management arrangement). In fisheries, action functions include coordinating Member Nation actions for assessment of resources, development of guidelines and harmonization of actions relating to inland fisheries. Fully funded from members' in-kind contributions and project/trust fund activities supported by donors. Has undertaken LoA work with FAO in the past.	Includes three APFIC Member Nations. **Work somewhat overlaps** APFIC work in inland fisheries but specific to the Lower Mekong Basin. A cooperation partner of APFIC and FAO.
Regional fishery management organizations (RFMOs)		
Indian Ocean Tuna Commission (IOTC)	**Membership:** Australia, Bangladesh, China, Comoros, Eritrea, European Union, France (OT), India, Indonesia, Iran (Islamic Republic of), Japan, Kenya, Madagascar, Malaysia, Maldives, Mauritius, Mozambique, Oman, Pakistan, Philippines, Republic of Korea, Seychelles, Somalia, South Africa, Sri Lanka, Sudan, United Republic of Tanzania, Thailand, United Kingdom of Great Britain and Northern Ireland, Yemen RFMO specific mandate for assessment and management of tuna resources in the northern half of the Indian Ocean. Promotes cooperation among the contracting parties (members) and cooperating non-contracting parties of the IOTC with a view to ensuring, through appropriate management, the conservation and optimum utilization of stocks covered by the organization's establishing agreement and encouraging sustainable development of fisheries based on such stocks. Fully funded by its membership. Established by FAO (FAO is the repository for the agreement).	Includes 14 APFIC Member Nations. Fishery management work on tunas and species related to these fisheries in the Indian Ocean. APFIC does not work on tunas to avoid overlap.

Intergovernmental arrangements	Broad function	Comment/observation
Western Central Pacific Fisheries Commission (WCPFC)	**Membership:** Australia, Canada, China, Cook Islands, European Union, Federated States of Micronesia, Fiji, France, Indonesia, Japan, Kiribati, Marshall Islands, Nauru, New Zealand, Niue, Palau, Papua New Guinea, Philippines, Republic of Korea, Samoa, Solomon Islands, Taiwan Province of China, Tonga, Tuvalu, United States of America, Vanuatu **Territories:** American Samoa, French Polynesia, Guam, New Caledonia, Northern Mariana Islands, Tokelau, Wallis and Futuna Islands **Cooperating non-members:** Curaçao, Ecuador, El Salvador, Nicaragua, Liberia, Panama, Thailand, Viet Nam Fishery management work of highly migratory tunas and species related to these fisheries in the WCPFC area.	Includes ten APFIC Member Nations. Overlapping areas and competent for highly migratory species, in principle in the whole of Area 71 but did not set the western boundary of the convention's area. In effect has little activity in the South China Sea. APFIC does not work on tunas to avoid overlap.
Regional environmental arrangements		
Coordinating Body for the Seas of East Asia (COBSEA)	**Membership:** Cambodia, China, Indonesia, Malaysia, Philippines, Republic of Korea, Thailand, Singapore, Viet Nam COBSEA is a regional intergovernmental mechanism for the development and protection of the marine environment and coastal areas of East Asian seas. COBSEA is a regional seas' programme administered by the United Nations Environment Programme (UNEP) with the secretariat hosted by Thailand. COBSEA aims at the sustainable development and protection of the marine environment and coastal areas of East Asian seas. The Strategic Directions 2018–2022 and COBSEA Regional Action Plan on Marine Litter provide regional frameworks for cooperation and identify regional priorities to guide action. Project work is concerned with spatial planning, marine litter and pollution. The COBSEA Secretariat is hosted by Thailand in Bangkok and administered by UNEP. The East Asian Seas Trust Fund was established in 1982 to provide financial support for the action plan. Through contributions made by participating countries, the trust fund supports core functions of COBSEA including the secretariat and intergovernmental meetings. The COBSEA Secretariat acts as the regional coordinating unit of COBSEA and provides overall technical coordination and supervision of the implementation of the action plan and acts as a supervisory body for the implementation of COBSEA projects and activities.	Includes eight APFIC Member Nations. **Limited overlap with APFIC.** Primary focus on the marine environment, especially marine litter. Also acts as an executing body for projects.
South Asia Co-operative Environment Programme (SACEP)	**Membership:** Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan, Sri Lanka SACEP is an intergovernmental organization, established in 1982 by the governments of South Asia, to promote and support protection, management and enhancement of the environment in the region. It is not specifically focused on marine or freshwater environments, but cooperates with the UNEP South Asian Seas Programme, and cooperates in a plastic-free rivers programme.	Includes five APFIC Member Nations. **Limited overlap with APFIC.**

Intergovernmental arrangements	Broad function	Comment/observation
Economic cooperation arrangements		
ASEAN Sectoral Fishery Working Group (Fishery)	**Membership:** ASEAN countries (Cambodia, Indonesia, Lao People's Democratic Republic, Malaysia, Myanmar, Philippines, Singapore, Thailand, Viet Nam) Fishery- and aquaculture-related advice to ASEAN follows the ASEAN process and advises the ASEAN Senior Officials Meeting of the ASEAN Ministers on Agriculture and Forestry. Fully funded by members.	Includes eight APFIC Member Nations. **Limited overlap with APFIC.** Advisory body, but has a relatively narrow scope of work.
APEC Ocean and Fishery Working Group (OFWG)	**Membership:** APEC: Brunei Darussalam, Canada, Chile, China, China, Hong Kong SAR, Indonesia, Japan, Malaysia, Mexico, New Zealand, Papua New Guinea, Peru, Philippines, Republic of Korea, Russian Federation, Singapore, Taiwan Province of China, Thailand, United States of America, Viet Nam APEC's OFWG provides fishery-related advice to APEC members and is fully funded by its members. It was formed in 2011, following a decision to merge the Marine Resource Conservation and the fisheries working groups (in operation since 1990 and 1991, respectively). Functions include exchanging information and fostering institutional capacity building in a focused regional setting. Advancing discussions and the development of solutions for common resource management problems and sharing of best practices. Developing a regional approach with improved coordination for the implementation of various instruments (e.g. international plans of action). Facilitating trade and investment opportunities that promote the sustainable use of fisheries, aquaculture and marine ecosystem resources. Ensuring the conservation and sustainable use of marine resources as well as protection of marine ecosystems needed to support fisheries and aquaculture. Promoting a common approach to preventing illegal fishing and related trade.	Includes ten APFIC Member Nations. **Overlap with APFIC in advisory functions** for Area 71. Does not have wide ranging activities.
The Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC) Sectoral Committee on Fisheries	**Membership:** Bangladesh, Bhutan, India, Nepal, Sri Lanka, Myanmar, Thailand The BIMSTEC Sectoral Committee on Fisheries undertakes studies on fishery and aquaculture. Fully funded by members. Promotes regional cooperation.	Includes six APFIC Member Nations. **Overlap in advisory functions** for Bay of Bengal fishery and aquaculture. Limited activity.

Intergovernmental arrangements	Broad function	Comment/observation
Research organizations, civil society organizations, conservation bodies not constituted under an intergovernmental agreement		
WorldFish	WorldFish is active in several countries of the region. Its headquarters is in Malaysia. Country offices: Bangladesh, Cambodia, Egypt, Myanmar, Nigeria, Solomon Islands, United Republic of Tanzania, Zambia A Consultative Group on International Agricultural Research (CGIAR) centre providing fishery and aquaculture research in a development mandate. This covers research and innovation in aquatic food systems supporting sustainable development and food systems transformation for healthy and resilient diets. Analysis of small-scale fisheries and aquaculture development, fish in nutrition and linkages into agriculture and other food-producing sectors.	**Some overlap** in that WorldFish executes or cooperates on GEF projects in fisheries for FAO.
IUCN Regional Office for Asia and the Pacific	IUCN is a conservation organization with global programmes on endangered species; improved information, analysis and management of protection and protected areas. Projects also cover human–wildlife interactions and increasingly on the management issues of balancing the need for conservation with other human activities. IUCN's Asia regional office in Bangkok oversees 10 country offices (Bangladesh, Cambodia, China, India, Lao People's Democratic Republic, Nepal, Pakistan, Sri Lanka, Thailand and Viet Nam) from Bangkok, Thailand, with project presence in Myanmar and initiatives in other countries such as Afghanistan, Bhutan, Brunei Darussalam, Democratic People's Republic of Korea, Indonesia, Japan, Malaysia, Maldives, Mongolia, Philippines, Republic of Korea, Singapore and Timor-Leste.	**Some overlap** now that IUCN executes or cooperates on GEF projects in fisheries for FAO.
International Collective in Support of Fishworkers (ICSF)	ICSF is an international non-governmental organization that works towards the establishment of equitable, gender-just, self-reliant and sustainable fisheries, particularly in the small-scale, artisanal sector. Monitors issues that relate to the life, livelihood and living conditions of fishworkers around the world; disseminates information on these issues, particularly among fisherfolk; prepares guidelines for policymakers that stress fisheries development and management of a just, participatory and sustainable nature; and helps to create the space and momentum for the development of alternatives in the small-scale fisheries sector. ICSF draws its mandate from the International Conference of Fishworkers and their Supporters (ICFWS), held in Rome in 1984, parallel to the World Conference on Fisheries Management and Development organized by FAO.	**Complementary.** Active network across the APFIC region and a frequent partner of FAO in matters pertaining to small-scale fisheries and fishers' rights.

Intergovernmental arrangements	Broad function	Comment/observation
Partnerships in Environmental Management for the Seas of East Asia (PEMSEA)	PEMSEA was initially formed to build concerted action around marine pollution. It now works to foster and sustain healthy and resilient coasts and oceans, communities and economies across the seas of East Asia through integrated management solutions and partnerships. As the regional coordinating mechanism for the Sustainable Development Strategy for the Seas of East Asia (SDS-SEA), a shared marine strategy among 14 countries in the region, PEMSEA works with national and local governments, companies, research and science institutions, communities, international agencies, regional programmes, investors and donors towards implementation of the SDS-SEA. PEMSEA applies ICM as its primary approach for generating and sustaining healthy oceans, people and economies. The secretariat and technical services are provided by the PEMSEA Resource Facility (PRF) to support SDS-SEA implementation. Specifically, secretariat services oversee the implementation of council decisions, the organization of the East Asian Seas Congress, and monitoring and reporting. Technical services deliver and mobilize policy and technical advice, capacity building and technical support for sustainable coastal ocean governance. An executive director heads the PRF, overseeing coordination between both services. Voluntary contributions from the region's partners and from other sources are used to fund secretariat services, while technical services augment funds from sponsored projects and programmes.	**Some overlap with APFIC's** mandate in relation to coast and fisheries. Advocacy for marine environment issues; also executes projects; training in integrated coastal management (ICM) approaches.

Annex M: Results of Member Nation responses to options presented for the future of the Asia-Pacific Fishery Commission (2001)

Excerpt from the report of the 27th Session of the Asia-Pacific Fishery Commission (2001)
www.fao.org/3/aa031e/aa031e.pdf

OPTIONS FOR THE FUTURE OF APFIC

Member States	Option 1 Status Quo	Option 2 Collaborative Projects	Option 3 Regional Consultative Forum	Option 4 Regional Fisheries Management Organization	Remarks
Australia	Y	Y		N	Should trim down activities
Bangladesh	Y		Y		Support RCF for the Bay of Bengal
Cambodia	Y				
China	Y			N	
France		Y	Y		
India			Y	N	
Indonesia			Y		
Japan	Y			N	
Korea, Rep. of	Y	Y	Y	N	
Malaysia	Y		Y		
Myanmar	Y		Y		
Nepal	Y	Y	Y		
New Zealand	Y			N	
Pakistan					Absent
Philippines		Y	Y	Y	Option 4 only as long-term goal
Sri Lanka	Y		Y		
Thailand	Y	Y	Y		
Vietnam	Y				
United Kingdom of Great Britain and Northern Ireland					Absent
United States of America					Absent

Note: Y=Yes; N=No

Annex N: FAO Council Resolution 1/116 to Abolish the Indian Ocean Fishery Commission

APPENDIX D - ABOLITION OF THE INDIAN OCEAN FISHERY COMMISSION AND MERGER OF THE COMMITTEE FOR THE DEVELOPMENT AND MANAGEMENT OF FISHERIES IN THE BAY OF BENGAL WITH THE ASIA-PACIFIC FISHERY COMMISSION

124. The Council considered the Report of the CCLM on this question and adopted the following Resolution:

Resolution 1/116

Abolition of the Indian Ocean Fishery Commission and its Subsidiary Bodies

Approval of the Merger of the Committee for the Development and Management of Fisheries in the Bay of Bengal with the Asia-Pacific Fishery Commission

THE COUNCIL,

Recalling that the Indian Ocean Fishery Commission (IOFC) was established under Article VI.1 of the FAO Constitution by Resolution 2/48 adopted by the Council at its Forty-eighth Session;

Noting that the Committee on Fisheries, at its Twenty-second Session in 1997 agreed that FAO regional fishery bodies "should be reviewed and evaluated in depth by their members on a case by case basis, taking full account of regional and membership differences in determining what measures might be taken to facilitate the strengthening of each body as appropriate";

Noting that at its Hundred and Twelfth Session in June 1997, the Council, in adopting the report of the Twenty-second Session of the Committee on Fisheries, stressed the need for effective regional fishery organizations and arrangements and agreed that FAO regional fishery bodies should be reviewed and evaluated with a view to strengthening them;

Noting the recommendation by IOFC, at its Eleventh Session, in February 1999, that IOFC be abolished;

Nothing further the wishes expressed by IOFC, at its Eleventh Session, that the Committee for the Development and Management of Fisheries in the Bay of Bengal be merged with the Asia-Pacific Fishery Commission and that the Committee for the Development and Management of Fisheries Resources of the Gulfs and the Committee of the Development and Management of Fisheries in the Southwest Indian Ocean be established as Article XIV bodies under the FAO Constitution;

1. Hereby abolishes the Indian Ocean Fishery Commission together with all its subsidiary bodies;

2. Approves that the functions of the former Committee for the Development and Management of Fisheries in the Bay of Bengal be absorbed by the Asia-Pacific Fishery Commission;

3. Authorizes the Director-General to convene *ad hoc* meetings of the members of the former Committee for the Development and Management of Fisheries Resources of the Gulfs and the former Committee for the Development and Management of Fisheries in the Southwest Indian Ocean, as required, in order to complete the process of establishment of the new bodies envisages and to take such interim action as may be required regarding the management of the fisheries resources of the areas covered by those former committees pending the formal establishment of the new bodies during the period preceding their formal conversion into Article XIV bodies.

Source: Report of the Council of FAO, 116th Session, Rome, 14–19 June 1999. Doc. CL116/REP, p. 25. www.fao.org/3/X2372e/X2372e00.htm

Annex O: FAO Fisheries Report No.444 FIPL/R444(E), 1990

Report of the Ad Hoc Committee on Structure, Functions and Responsibilities of the Indo-Pacific Fishery Commission (IPFC), Bangkok, Thailand, 11-14 December 1990

OPENING OF THE SESSION

1. The Session of the Ad Hoc Committee on Structure, Functions and Responsibilities of the Indo-Pacific Fishery Commission (IPFC) was held at the FAO Regional Office for Asia and the Pacific (RAPA), Bangkok, Thailand, from 11 to 14 December 1990. The Session was attended by representatives of the six Member States comprising the Ad Hoc Committee. The list of participants is given in Appendix B.

2. The Committee elected Mr Boonlert Phasuk of Thailand as its Chairman and Mr K. Imamura of Japan as Vice-Chairman. It adopted the Agenda given in Appendix A. The documents placed before the Committee are listed in Appendix C.

REVIEW OF THE OBJECTIVES, ROLE AND FUNCTIONS OF THE COMMISSION

3. The Ad Hoc Committee considered this agenda item on the basis of document IPFC/ANC/90)2 describing the main characteristics of IPFC (establishment, functions, area of competence, membership) and its subsidiary bodies and providing summary information on other international bodies dealing with fisheries in the Indo-Pacific area.

4. The Secretariat drew attention to recent developments which took place Since the last Session of the Commission concerning (i) the legal basis on which IPFC was established and (ii) the on-going discussions aimed at strengthening IOFC.

5. In regard to (1) the Ad Hoc Committee noted with interest the outcome of the discussions of the IOFC Committee for the Management of Indian Ocean Tuna at its Eleventh Session in July 1990 regarding the establishment of a new Indian Ocean Tuna Commission (IOTC). The Committee agreed that this new body should be established under Article XIV of the FAO Constitution but stressed that it would require a substantial degree of autonomy. This would necessitate amending the section of the Basic Texts governing all agreements concluded under Article XIV of the Constitution. Tt was agreed that these draft amendments would be transmitted to the FAO Council in June 1991 and then to the Conference in November 1991. The Ad Hoc Committee realized that these changes taken into account by IPFC when it considers the report of the Ad Hoc committee.

6. In regard to (11) the Ad Hoc Committee was informed that, at its Sixth Session in November 1990, the IOFC Committee for the Management and Development of Fisheries in the south-West Indian Ocean had proposed to change the Terms of reference of IOFC with a view to strengthening its mandate, particularly in the field of resources management, The matter will be considered by IOFC itself at its next session.

7. The Ad Hoc Committee noted that, if the above two sets of amendments were adopted provision would be made for all the fishery resources of the entire Indian Ocean to be managed by international bodies having clear and management responsibilities.

8. The Ad Hoc Committee also noted the respective mandates of the other international bodies dealing with fisheries in the Indo-Pacific area and stressed the need to avoid duplication of work.

CONSIDERATION OF FACTORS LIMITING THE EFFICIENCY OF THE COMMISSION

9. The Ad Hoc Committee unanimously agreed that a key factor Limiting the efficiency of the Commission was the lack of adequate financial resources. It noted that for the moment the only funds available were those of the Regular Programme of FAO and that member nations had never established trust funds for cooperative projects as contemplated in Article VIII (4) of the IPFC Agreement. Due to financial constraints, the Secretary could not always mobilize the required technical support had therefore sometimes not been in a position to follow-up all the recommendations of the Commission. The dilution of activities and failure to set priorities were also identified by Some members as factors limiting the efficiency of IPFC.

10. Among other such factors identified by some members were:

- the advisory nature of the functions of IPFC;
- the emergence of other international bodies dealing with fisheries, leading to increased risk of duplication;
- the too large extent and lack of definition of the IPFC's area of competence
- the heterogeneity of its membership; and
- the lack of adequate technical support.

11. All these factors were taken into consideration by the Ad Hoc Committee in discussing ways and means of rationalizing the activities of the Commission.

RATIONALIZATION OF THE ACTIVITIES OF THE COMMISSION

12. The Ad Hoc Committee reviewed a number of options for rationalizing IPFC activities. It considered the advisability of disbanding the Commission and of allocating its functions to other existing bodies. While acknowledging however that this would be possible in some areas (e.g., Indian Ocean, South Pacific), the Ad Hoc Committee recognized that a number of matters did not fall within the responsibility of any other international body. The Ad Hoc Committee also considered the possibility of establishing an Inland Fishery Commission for Asia to undertake the functions of aquaculture and inland fishery. It concluded that IPFC should not be disbanded but instead restructured and strengthened, always taking into consideration the need for avoiding duplication.

(a) Functions and Priorities

13. In reviewing the terms of reference of IPFC as set out in Article IV of the IPFC agreement the Ad Hoc Committee recognized that they were fairly wide and comprehensive and that they allowed for a good degree of flexibility. It therefore, did not see any need for drastic changes. Upon the suggestion of the delegation of Thailand the Ad Hoc Committee agreed to recommend that paragraph (4) of Article IV be complemented by adding the following: "in particular fishery resources evaluation, identification and review of specific subjects, fishery policy and project formulation, fishery economics". Upon the suggestion of the delegation of India, it also to recommend that a new paragraph be inserted in Article IV which would stress the importance of developing inland fisheries and aquaculture.

14. The ad Hoc Committee however, strongly recommended that, within this work, priorities should be clearly set and it identified the following two priorities:

1. marine fishery resources in FAO Statistical Area 71;
2. inland fisheries and aquaculture in FAO Statistical Area 04.

The principle of setting priorities should be incorporated in an appropriate article of the Agreement.

(b) Area of Competence

15. This issue was extensively discussed by the Ad Hoc Committee. When IPFC was established as the "Indo-Pacific Area". Some members would have preferred to restrict the IPFC area of competence in marine fisheries to Statistical Area 71. Others were in favour of the status quo. It was also suggested to define the IPFC area of competence as South-East Asia or the Western Pacific. It was finally agreed that the area of competence need not be defined precisely on the understanding that in practice the Commission would give priority to marine fishery resources in a FAO Statistical Area 71. It was also felt necessary to abandon the reference to the "Indo-Pacific region" and to refer to the "Asia and Pacific region" as in the case of many other international bodies serving the region. The Ad Hoc Committee therefore, recommended that Article VI of the IPFC agreement should read as follows:

Article VI

Area

'The Commission shall carry out the functions and responsibilities set forth in Article IV in the Asia-Pacific Area.

(c) Name of the Commission

16. Consequently, it was also recommended to change the name of the Commission to either the Asia-Pacific Fishery Commission (APFC or APFIC) or the Fishery Commission for Asia and the Pacific (FCAP or FISHCAP). It was noted that the acronym APFC was already used in FAO to designate the Asia-Pacific Forestry Commission.

(d) Membership.

17. While acknowledging that the IPFC Agreement is widely open for accession the Ad Hoc Committee recommended in particular that Brunei, China, the Democratic People's Republic of Korea and Papua New Guinea be encouraged to join the Commission.

(e) Programme of Work and Budget

18. The Ad Hoc Committee discussed at length the desirability of amending the IPFC Agreement in order to provide for an autonomous budget funded by compulsory contributions from all members according to a realistic scale. Several members were of the view that this together with increased support from FAO an important prerequisite for a more dynamic IPFC. Others pointed out the difficulty for their respective governments to accept such a radical change and expressed preference for a more pragmatic solution based on a programme activity system at least on an interim basis. The Ad Hoc Committee concurred with the latter approach and recommended that at its next Session the Commission should define specific, detailed cooperative programme activities to be funded on a voluntary basis by member nations and/or donors as provided in Article VIII (4) of the IPFC Agreement.

(f) Structure and Method of Work of the Commission

19. The Ad Hoc Committee reviewed separately each of the subsidiary bodies of the Commission.

20. In regard to the Executive Committee, the Ad Hoc Committee considered that it should be able to play its role of governing body of IPFC between the sessions of the Commission as set forth in the Rules of Procedure. It should meet at least once during intersessional periods. Beside performing its statutory budgetary functions, it should also prepare the setting of

Priorities for the Commission's work. Being responsible for the coordination of the work of the committees and working parties it should transmit its comments on the reports of these bodies to the Commission, without, however, going into technical details.

21. It was noted that the Special Committee on Management of Indo-Pacific Tuna had not met for several years and the Ad Hoc Committee therefore recommended that it be disbanded. It recommended that the Southeast Asian tuna stocks should be monitored by the IPFC Committee for the Development and Management of Fisheries in the South China Sea. It also felt that periodic exchange of information and experience in this regard with the neighbouring regions of the Indian Ocean and the South Pacific would be beneficial.

22. The usefulness of the role being played by the Standing Committee on Resources Research and Development (SCORRAD) was discussed. The Ad Hoc Committee was aware of the proposal made by SCORRAD at its Fifth Session to amend its own terms of reference for the purpose of focusing its attention on resources matters and on statistics. It noted that IPFC had deferred final approval of this proposal until the completion of the work of the Ad Hoc Committee. It felt that it was better to entrust this type of work to a new Working Party on Marine Fisheries and Statistics. SCORRAD could then continue its role of technical and scientific adviser of IPFC on all matters relating to the development and rational utilization of the fish resources in the IPFC region. The amendment proposed by SCORRAD to its terms of reference would be acceptable only if the establishment of a new Working Party was not found to be possible.

23. As mentioned above the area served by the Committee for the Development and Management of Fisheries in the South China Sea should be accorded priority by IPFC. The Ad Hoc Committee therefore recommended that this Committee should continue and should be strengthened.

24. The Ad Hoc Committee recommended that the Working Party on Fish Technology and Marketing should be continued and that special priority be given to the Working Parties on Aquaculture and on Inland Fisheries

(g) Follow-up.

25. The Ad Hoc Committee did not feel competent to draft the precise wording of the proposed amendments to the IPFC Agreement. It agreed to the kind offer of Australia to draft the text of the proposed amendments on the basis of the report and, after consulting the FAO Legal Office, to circulate them for comments to the other members. It would be still open for any member to make further proposals if so desired. Should it be necessary, a short meeting of the Ad Hoc Committee member nations could be held in Rome during the Nineteenth Session of the Committee on Fisheries to solve any pending problem.

ANY OTHER MATTERS

26. None

ADOPTION OF THE REPORT

27. The report was adopted on…

Annex P: Timeline of emergence of regional organizations whose functions and competence overlap with the Asia-Pacific Fishery Commission

9 November 1948: Indo-Pacific Fisheries Council established
In February 1948, the Director-General of FAO invited interested Member Nations of FAO to attend a meeting in Baguio City, the Philippines to discuss the establishment of a regional body to support fishery development in the Asia and Pacific region. At this meeting, an agreement establishing the Indo-Pacific Fisheries Council was drawn up by accredited delegates of eight nations attending the meeting, viz., Burma (now Myanmar), China, France, India, the Netherlands, the Philippines, the United Kingdom of Great Britain and Northern Ireland and the United States of America. The agreement came into force on 9 November 1948. The FAO Conference at its Fourth Session (Washington, DC, United States of America, 15–29 November 1948) approved the establishment of this regional fishery body with the title 'Indo-Pacific Fisheries Council (IPFC)', under Article XIV of the FAO Constitution.
28 December 1967: Southeast Asian Fishery Development Center (SEAFDEC) established
SEAFDEC is a regional treaty organization established in 1967 to promote sustainable fisheries development in Southeast Asia. At the First Meeting of the ASEAN-SEAFDEC Fisheries Consultative Group, Bangkok, Thailand, 4 March 1999, the need to strengthen ASEAN–SEAFDEC relations was emphasized. This collaborative framework between SEAFDEC as a technical organization and ASEAN as a political organization provides an effective mechanism for technological developments as output from SEAFDEC activities to be incorporated into ASEAN countries' national development programmes. SEAFDEC effectively overlaps the functions of APFIC in the waters of its Southeast Asian Member Nations and particularly in Area 71 and the Bay of Bengal part of Area 57.
13 December 1985: Intergovernmental Organization for Marketing Information and Technical Advisory Services for Fishery Products in the Asia and Pacific Region (INFOFISH) established
Agreement for the establishment of INFOFISH came into force at a meeting in Kuala Lumpur, Malaysia, 9–13 December 1985. Overlapping functions with APFIC on fish trade, monitoring and analysis of trade, capacity building and training, organization of meetings relating to trade and postharvest treatment of fishery and aquaculture products.
11 January 1990: Network of Aquaculture Centres in Asia and the Pacific (NACA) established
NACA was formerly a joint FAO/UNDP project. NACA was established as an independent economic organization by an agreement concluded on 8 January 1988, which entered into force on 11 January 1990. FAO participates in meetings of the governing council of NACA as an observer and in meetings of the technical advisory committee of NACA as a member. FAO RAP serves as the focal point for liaison between NACA and FAO. The establishment of NACA effectively duplicated the role of APFIC for aquaculture in the Asia and Pacific region.
1993: Indo-Pacific Fisheries Council (IPFC) becomes the Asia-Pacific Fishery Commission (APFIC)
The commission at its twenty-fourth session in 1993 made amendments to the agreement with the title of the agreement changed to the Asia-Pacific Fishery Commission (APFIC).
5 April 1995: Mekong River Commission (MRC) established
The MRC's role is to promote "Cooperation in all fields of sustainable development, utilisation, management and conservation of the water and related resources of the Basin." This should contribute to sustainable and balanced development, while preserving the environmental integrity of the basin. This overlaps the function of APFIC in freshwater fisheries and aquaculture of the four riparian countries in the lower Mekong Basin. www.mrcmekong.org/assets/Publications/policies/agreement-Apr95.pdf

27 March 1996: Indian Ocean Tuna Commission (IOTC) established
The agreement for the establishment of the IOTC was approved by the FAO Council in November 1993. The agreement entered into force on 27 March 1996. As a modern RFMO, this effectively nullified any competence of APFIC for conservation and management of tuna and tuna-like species in the eastern Indian Ocean and Bay of Bengal (FAO Area 57).
1997: Bay of Bengal Committee (BOBC) of the Indian Ocean Fishery Commission (IOFC), considers its future
The commission was informed that the Committee for the Development and Management of Fisheries in the Bay of Bengal (BOBC) of the IOFC, at its tenth session (New Delhi, India, 24–25 September 1997), had discussed options for its future role in view of the forthcoming abolition of the IOFC. The BOBC agreed by consensus that it should be merged into APFIC.
1999: Indian Ocean Fishery Commission (IOFC), BOBC functions merged into APFIC
Resolution 1/116 of the FAO Council abolished the IOFC and approved the merging of the functions of the IOFC Committee for the Development and Management of Fisheries in the Bay of Bengal into APFIC. This expanded the focus of APFIC work to the Bay of Bengal area.
21 May 2003: Bay of Bengal Programme Inter-Governmental Organisation (BOBP-IGO) established
The BOBP-IGO was conceived during the early stages of the third phase of the Bay of Bengal Programme (1994–2000) and finally endorsed through a resolution at the 24th meeting of the advisory committee of the former BOBP, held in Phuket, Thailand in October 1999 (The Phuket Resolution). The BOBP-IGO Agreement was formally signed by the governments of Bangladesh, India and Sri Lanka at Chennai on 26 April 2003 and by the Government of Maldives at Chennai on 21 May 2003. The functions of BOBP-IGO effectively overlap APFIC's mandate for fisheries in the western part of the Bay of Bengal.
19 June 2004: Western and Central Pacific Fisheries Commission (WCPFC) established
The Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean was opened for signature at Honolulu on 5 September 2000. The WCPFC was established by the Convention for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean which entered into force on 19 June 2004. The convention was one of the first regional fisheries agreements to be adopted since the conclusion in 1995 of the UN Fish Stocks Agreement. The objective of the convention is to ensure, through effective management, the long-term conservation and sustainable use of highly migratory fish stocks in the western and central Pacific Ocean in accordance with the 1982 United Nations Convention on the Law of the Sea and the 1995 UN Fish Stocks Agreement. For this purpose, the convention established a Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean. As a modern RFMO, this effectively nullified any competence of APFIC for conservation and management of highly migratory fish stocks in the western and central Pacific Ocean (FAO Area 71).

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