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JOINT MEETING

**Hundred and Thirty-fourth Session of the Programme Committee and
Hundred and Ninety-fourth Session of the Finance Committee**

Rome, 7 November 2022

**Establishment of the Committee on Fisheries Sub-Committee on Fisheries
Management**

Queries on the substantive content of this document may be addressed to:

Mr Audun Lem
Deputy Director, Fisheries and Aquaculture Division (NFI)
Tel: +39 06570 52692
Email: Audun.Lem@fao.org

Documents can be consulted at www.fao.org

EXECUTIVE SUMMARY

- The Committee on Fisheries (COFI), at its 35th Session, endorsed the proposal for establishing a COFI Sub-Committee on Fisheries Management (SCFM) and implementing it as proposed by the Working Group on the Proposal for the establishment of the Sub-Committee on Fisheries Management (WG).
- This document provides background information and the proposal on the establishment of SCFM by the WG. It also provides, in Appendix I to this document, the Sub-Committee's Terms of Reference, as reviewed and endorsed by COFI.

GUIDANCE SOUGHT FROM THE JOINT MEETING

- The Joint Meeting is invited to take into consideration the Report of COFI and provide guidance in terms of programme or finance matters, as deemed appropriate.

Draft Advice

The Joint Meeting:

- **commended the work done by the Working Group on the Proposal for the establishment of the Sub-Committee on Fisheries Management, and welcomed the Terms of Reference of SCFM (Appendix 1), as agreed by COFI at its 35th Session;**
- **concurred with the COFI's endorsement of the proposal for establishing a COFI Sub-Committee on Fisheries Management (SCFM);**
- **recommended the Council and the Conference at their forthcoming sessions to consider and endorse the proposal including the scheme contained in the proposal, to hold the SCFM first meeting before the 36th Session of COFI in virtual modality, taking into consideration financial and administrative implications;**
- **looked forward to receiving results of the review process by the 38th Session of COFI at a future session.**

I. BACKGROUND

1. At the 33rd Session of the Committee on Fisheries (COFI) in 2018, the Committee expressed strong interest in discussing the establishment of a Sub-Committee on Fisheries Management (SCFM) in order to assist the international community, especially developing States¹, and requested the Secretariat, in close cooperation with the COFI Bureau, and mindful of the rules of procedure for establishing subsidiary bodies, to develop a proposal for the possible establishment of a new SCFM, to be submitted for the consideration of Members at the next session of COFI. The Committee underlined that the proposal should elaborate on all relevant aspects, including financial and administrative implications and terms of reference for such a Sub-Committee, including identifying ways to achieve efficiencies and avoid duplication with other COFI Sub-Committees. The Committee noted that such a Sub-Committee could include a standing agenda item on sustainable small-scale fisheries (SSF)².

2. The Secretariat proposed to establish a Joint Task Force for Investigation of the Proposal to Establish a New Sub-Committee on Fisheries Management (JTF) with representatives of the Bureau of COFI 34 in order, inter alia, to explore potential options, including the establishment of a new Sub-Committee, and to propose the best ways forward for further consideration by the Bureau of COFI 34. The JTF was formed with representatives of the Bureau (Chile, New Zealand, and Norway – as the original proposer) and the Secretariat. Informal consultations of JTF were organized in March 2019, June 2019, September 2019 and January 2021. A number of other Members participated in the meetings of JTF as observers³. The Committee, at its 34th Session in 2021, agreed to continue a transparent and inclusive consultation process on the proposal of the establishment of a new SCFM, under the leadership of the Chairperson of the 35th Session of COFI and looked forward to a proposal being submitted at COFI 35⁴.

3. The Chairperson proposed, at the 1st COFI 35 Bureau Meeting (BM), to set up an open-ended working group to discuss this issue and the BM agreed that it be established with the process being open to all COFI Members all the time. During the intersessional period, six meetings of the working group on the proposal of the establishment of the Sub-Committee on Fisheries Management (WG) were organized (May 2021, September 2021, December 2021, February 2022, April 2022 and June 2022⁵). The WG generally agreed that COFI should spend more time on policy issues, including those related to fisheries management, and the establishment of SCFM is one of the solutions. At the same time, the WG also recognized that establishing SCFM will increase the burden on Members, especially developing Members, with limited financial and human resources for physical participation and adequate preparation. Noting that the establishment of SCFM would be of additional value to COFI, it would be necessary to address these challenges.

4. The Thirty-fifth Session of the Committee on Fisheries (COFI):

a) examined the proposal of the Working Group on the Proposal for the establishment of the Sub-Committee on Fisheries Management (WG)⁶;

¹ Paragraph 11 of the Report of the Thirty-third Session of the Committee on Fisheries, Rome, 9-13 July 2018 (FIAP/R1249)

² Paragraph 128 of the Report of the Thirty-third Session of the Committee on Fisheries, Rome, 9-13 July 2018 (FIAP/R1249)

³ The minutes of the four meetings of the JTF are available as COFI/2020/SBD.1, COFI/2020/SBD.2, COFI/2020/SBD.3 and COFI/2020/SBD.22 on the COFI website:
<http://www.fao.org/about/meetings/cofi/documents-cofi34>

⁴ Paragraph 18 of the Report of the Thirty-fourth Session of the Committee on Fisheries, Rome, 1-5 February 2021 (NFIF/R1336)

⁵ Meeting documents and minutes of WG are available on: <https://www.fao.org/about/meetings/cofi/sub-committee-on-fisheries-management-wg/en/>

⁶ COFI/2022/6

- b) endorsed the proposal for establishing a COFI Sub-Committee on Fisheries Management (SCFM) and implementing it as proposed by the WG;
- c) underscored the importance of addressing the potential financial and administrative burden, especially for developing Members, and welcomed the financial contribution expressed by a Member;
- d) welcomed the rotation in the modality among SCFM and the existing Sub-Committees as proposed by the Working Group;
- e) welcomed also the review process by the Thirty-eighth Session of the Committee, and expressed concern that the time available for the review process might be too short;
- f) underscored the importance of prioritized and balanced agenda items to avoid duplication with the existing Sub-Committees to allow an in-depth dialogue on essential matters in fisheries management; and
- g) agreed to the Terms of Reference of SCFM as attached in Appendix 1.

II. PROPOSAL BY WG TO COFI 35⁷

5. The following scheme was recommended for consideration at COFI 35:

- (1) The SCFM should be established with the Terms of Reference in Appendix 1.
- (2) The meetings of the three Sub-Committees should be held between two COFI meetings and one of the meetings should be virtual in the following way, in principle⁸:

| Between COFI 35 and 36 | Between COFI 36 and 37 | Between COFI 37 and 38 |
|------------------------|------------------------|------------------------|
| SCA (in-person) | SCA (in-person) | SCA (in-person) |
| SCFT (in-person) | SCFT (virtual) | SCFT (in-person) |
| SCFM (virtual) | SCFM (in-person) | SCFM (virtual) |

COFI 38 will review the results of the discussion at these three SCFM meetings including how the SCFM functioned and fulfilled the terms of reference (TORs) as well as how the outcomes of the two initial meetings contributed to the discussion on issues related to fisheries management at COFI 36 and 37, respectively. Based on these reviews, COFI 38 will consider whether the SCFM should continue to be held.

- (3) A meeting of the SCFM, whether it is in-person or virtual, should be held when extra-budgetary funding is available for realizing the meeting (see Appendix 2 for details).
- (4) Measures should be taken to mitigate administrative difficulties of developing Members such as lack of personnel and time for preparation and attendance (see Appendix 3 for details).
- (5) The SCFM meeting between COFI 36 and COFI 37 should be in-person when a minimum level of funding support for developing Members to participate in the meeting is provided (see Appendix 4 for details). If the minimum level of funding support is not secured, the meeting should be held virtually.
- (6) If the meeting is in-person, it should be either hosted by a Member or at FAO headquarters in Rome if there is no host Member.
- (7) Any Member wishing to provide extra-budgetary funding for (3) above for the virtual SCFM meeting between COFI 35 and 36 should announce the intention during COFI 35 or within six months after COFI 35 the latest.
- (8) Any Member wishing to host the SCFM meeting between COFI 36 and COFI 37 should announce the intention during COFI 36 the latest. In addition to the cost in Appendix 2, that Member

⁷ Extracted from COFI/2022/6

⁸ Two or more Sub-Committees' Sessions may be held virtually, depending on the COVID-19 pandemic and other factors. SCA: Sub-Committee on Aquaculture; SCFT: Sub-Committee on Fish Trade.

should provide the minimum level of funding support in Appendix 4 for developing Members to participate in the in-person meeting.

(9) In case that there is no Member providing the extra-budgetary funding for the virtual SCFM meeting after COFI 35 or no Member hosting the SCFM meeting(s) between COFI 36 and COFI 37, a multi-donor fund should be established after COFI 35 to: (i) cover the extra-budgetary funding for realizing the meeting in (3) above; and (ii) provide the minimum level of funding support for developing Members to participate in the meeting when the meeting is held in Rome. Subject to the consent of donors⁹, the fund may also be used for additional support for participation of developing Members when the meeting is hosted by a Member. Otherwise, the remaining fund should be carried over for the preparation of the following SCFM meeting. The fund will be subject to financial contributions from Members and non-earmarked financial contributions from other donors, including companies, stakeholder groups, and non-governmental organization (NGOs).

(10) With regard to (7) above, six months after COFI 35, the SCFM Secretariat should announce whether or not the virtual SCFM meeting will be held. For each of the SCFM meetings between COFI 36 and COFI 38, the SCFM Secretariat should announce at the end of the preceding COFI: (i) whether or not the meeting will be held; (ii) whether the meeting will be in-person or virtual; and (iii) whether the meeting will be held in a Member or in Rome in the case of the in-person meeting.

(11) Appendix 5 shows possible scenarios.

⁹ The donors cannot decide who should receive support.

(APPENDIX 1)**Terms of Reference for the Sub-Committee on Fisheries Management**

1. The Sub-Committee on Fisheries Management (SCFM) shall serve as a forum for consultation and discussion on fisheries management, associated technical and policy issues, and the related work performed by FAO, taking into account the work of relevant regional and international organizations, countries, stakeholders' groups and NGOs, and in cooperation with them, as appropriate.
2. In this context, the Sub-Committee shall:
 - (1) provide a technical and policy advisory forum to discuss fisheries governance and management issues and explore solutions for the conservation and sustainable use of fisheries resources and advance the FAO Code of Conduct for Responsible Fisheries based on the best available science as well as ecosystem and precautionary approaches;
 - (2) identify and discuss major issues and trends in global fisheries management and sustainable development, which require action, such as those related to development and management of small-scale fisheries, effects of climate change on fishery management, and eradication of illegal, unreported and unregulated (IUU) fishing;
 - (3) make recommendations to address such issues and trends as well as fisheries development needs and, in this regard:
 - (i) to advise on preparing, facilitating, and implementing such recommendations, as appropriate;
 - (ii) to advise on the promotion of information sharing on regional policies and technical measures on fisheries management, as appropriate;
 - (iii) to advise on the strengthening of regional and international collaboration to assist FAO Members, in particular developing Members including Small Island Developing States (SIDS) Members, in the implementation of such actions and instruments in the domain of fisheries governance and management;
 - (iv) to advise on possible cooperation between FAO and, as appropriate, relevant regional and international organizations, including regional fisheries management organizations (RFMOs), countries, stakeholder groups, and NGOs, to promote and support good practices and avoid discrepancy in policies and actions.
 - (4) address any specific (technical or policy) matters relating to fisheries governance and management referred to this Sub-Committee by its Members, the Committee on Fisheries, or the Director-General of FAO;
 - (5) collaborate with and provide inputs to the Sub-Committee on Fish Trade on fishery management issues related to trade in fish and fisheries products; and
 - (6) collaborate with and provide inputs to the Sub-Committee on Aquaculture on fishery management issues related to aquaculture.

(APPENDIX 2)**Minimum estimated costs for holding a meeting of the SCFM**

(Figures are in thousand dollars)

| | Translation of documents | Interpretation, including travel costs | Venue | Travel cost of FAO staff | Total |
|---------|--------------------------|--|---------|--------------------------|-------|
| Host | 160 | 80 | by host | 23 | 263 |
| Rome | 160 | 68 | 7 | 0 | 235 |
| Virtual | 160 | 68 | 0 | 0 | 228 |

*Regardless of the meeting place and modality, all costs need to be supported by extra-budgetary sources of funding.

*Costs in this table do not include travel costs of delegates.

(APPENDIX 3)**Measures to mitigate administrative difficulties of developing Members**

1. Avoidance of duplication with other international meetings

The timing of the SCFM meeting should avoid duplication with other international meetings as much as possible. To maximize the participation of Members, particularly developing Members, the COFI Secretary should verify the timings of other RFMO meetings (both annual and subsidiary body meetings) and global fisheries-related meetings. A most suitable timing for carrying out the SCFM Session should be proposed.

2. Distribution of more detailed annotated agenda

In order for participants to better prepare for the SCFM meeting, annotations to the provisional agenda, as in the case of COFI meetings, should be distributed at least four weeks before the meeting in all official languages.

(APPENDIX 4)**A minimum level of funding support for developing Members**

To provide funding support for developing Members to participate in SCFM meetings, the following rules should be applied:

1. A minimum level of funding support for developing Members should be established. The minimum level should be calculated as 20 percent of the number of developing Members in each region which participated either as a COFI Member or an observer in any of the three COFI meetings and three SCFT meetings prior to the SCFM meeting. The SCFM Secretariat should calculate 20 percent for each region using the most updated information when it announces the holding of the SCFM meeting. The indicative number of developing Members who should receive the support in each region is shown below (see attachment for the list of developing Members in each region as of June 2022):

| Region | # of developing Members | 20% of developing Members | # of developing Members receiving the support ¹⁰ |
|-------------------|-------------------------|---------------------------|---|
| Africa | 45 | 9.0 | 9 |
| Asia | 15 | 3.0 | 3 |
| Europe | 8 | 1.6 | 2 |
| GRULAC | 23 | 4.6 | 5 |
| Near East | 11 | 2.2 | 3 |
| Southwest Pacific | 7 | 1.4 | 2 |
| Total | 109 | | 24 |

2. Each regional group should decide which Members will receive support within the group, with consideration to Members from Least Developing Countries and Small Island Developing States, as well as the request of the host Member.

¹⁰ Developing Members that will attend the SCFM meeting as observers will not receive support.

Attachment

List of developing Members which participated either as a COFI Member or an observer in COFI 32, 33 and 34 and SCFT 16, 17 and 18 (as of June 2022)

| Region | Developing Members | # of Members |
|-------------------|--|--------------|
| Africa | Algeria, Angola , Burkina Faso , Burundi* , Cabo Verde, Cameroon, Central African Republic , Chad , Comoros* , Congo, Côte d'Ivoire, Equatorial Guinea, Eritrea , Eswatini, Ethiopia , Gabon, Gambia* , Ghana, Guinea , Guinea-Bissau* , Kenya, Lesotho* , Liberia , Madagascar , Malawi* , Mali , Mauritania , Mauritius, Morocco, Mozambique , Namibia, Niger* , Nigeria, Rwanda* , Sao Tome Principe* , Senegal , Sierra Leone* , South Africa, South Sudan* , Togo* , Tunisia*, Uganda, United Republic of Tanzania, Zambia , Zimbabwe | 45 |
| Asia | Bangladesh , Cambodia , China, Democratic People's Republic of Korea, India, Indonesia, Kazakhstan*, Malaysia, Maldives, Myanmar , Pakistan, Philippines, Sri Lanka, Thailand, Viet Nam | 15 |
| Europe | Armenia*, Azerbaijan, Belarus*, Georgia*, Montenegro*, Serbia*, Türkiye, Ukraine* | 8 |
| GRULAC | Argentina, Belize*, Bolivia (Plurinational State of), Brazil, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Grenada*, Guatemala, Guyana, Haiti , Honduras, Jamaica*, Mexico, Nicaragua, Panama, Paraguay, Peru, Suriname*, Venezuela (Bolivarian Republic of) | 23 |
| Near East | Afghanistan , Djibouti* , Egypt, Iran (Islamic Republic of), Jordan, Lebanon*, Libya, Somalia , Sudan , Syrian Arab Republic*, Yemen | 11 |
| Southwest Pacific | Fiji, Kiribati* , Marshall Islands*, Micronesia*, Papua New Guinea*, Tonga*, Vanuatu* | 7 |

Note:

1. Countries with * are currently non-Members of COFI. The list of COFI Members is found at the Governing and Statutory Bodies (GSB) website: Committee on Fisheries (fao.org).
2. Countries belonging to each regional group are found at the GSB website: FAO Members by region for Council election purposes.
3. The list of developing countries is found in the Organisation for Economic Co-operation and Development (OECD) Development Assistance Committee (DAC) List of overseas development assistance (ODA) Recipients (<https://www.oecd.org/dac/financing-sustainable-development/development-finance-standards/DAC-List-of-ODA-Recipients-for-reporting-2022-23-flows.pdf>). The Least Developed Countries (LDCs) are highlighted in bold.
4. The lists of delegates and observers of COFI 32, 33 and 34 and SCFT 16, 17 and 18 are found in the report of respective meetings.

(APPENDIX 5)

**Flowchart showing what will happen between COFI 36 and COFI 38
depending on the availability of external funding**

