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CARIBBEAN COMMUNITY COMMON FISHERIES POLICY

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CARIBBEAN COMMUNITY COMMON FISHERIES POLICY

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CRFM Secretariat,
Belize

CARIBBEAN COMMUNITY COMMON FISHERIES POLICY

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FOREWORD

The Fourteenth Inter-sessional Meeting of the CARICOM Conference of Heads of Government, which was held in Trinidad and Tobago, 14 - 15 February 2003, mandated the elaboration of a Common Fisheries Policy and Regime for the Caribbean Community. Following an extensive development and negotiation process, the Caribbean Community Common Fisheries Policy (CCCFP) was approved by the CRFM Ministerial Council during its Fourth Meeting held in St. Mary's, Antigua and Barbuda on 20 May 2011. Subsequently, the Fifty-first Special Meeting of the Council for Trade and Economic Development in Agriculture, held on 10 October 2014 in Paramaribo, Suriname, adopted the CCCFP as a final policy document of the Caribbean Community.

The CCCFP will enable participating States to collectively undertake the scientific research and studies necessary to determine the status of fish stocks, determine available fishing opportunities, and develop rational harvest strategies and fisheries management plans to ensure optimum sustainable use of the resources and protect the ecosystems. In addition, the States are better placed to coordinate their actions to develop and implement monitoring, control and surveillance systems, and enforce conservation and management measures to protect their fishery resources. In the same manner, the countries are better placed to coordinate their actions to improve welfare and working conditions of fishers, improve competitiveness, effectively develop the fisheries and aquaculture value chains, build trade capacity and negotiate market access arrangements to expand international and regional trade in fish and seafood.

The Seventy-first Special Meeting of the Council for Trade and Economic Development – Agriculture, held at Georgetown, Guyana, 4 - 6 October 2017, designated the Caribbean Regional Fisheries Mechanism (CRFM) as the Competent Agency for the CCCFP to have the authority and perform the functions outlined in the CCCFP.

The CCCFP was initially prepared as a Treaty. This document reformatted the CCCFP as a typical policy document of the Caribbean Community by, inter alia, removing the treaty specific articles and terminologies to ensure clarity regarding the status of the document and consistency with international best practices. All the remaining substantive and relevant provisions of the approved CCCFP are retained herein, including the specific ordering and numbering of the paragraphs and subparagraphs.

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Caribbean Community Common Fisheries Policy

i. DEVELOPMENT OF THE POLICY

The Fourteenth Inter-sessional Meeting of the CARICOM Conference of Heads of Government, which was held in Trinidad and Tobago, 14 - 15 February 2003, mandated the elaboration of a Common Fisheries Policy and Regime for the Caribbean Community. The Conference:

***Noted and endorsed** the proposals submitted by the Government of Barbados on the imperative of elaborating a Common Fisheries Regime;*

***Urged** that the research also take cognisance of the need to develop international standards for the export of fishery products.*

In light of the issues and concerns raised during the subsequent negotiations, the Ministers responsible for fisheries at the First Meeting of the Ministerial Council of the Caribbean Regional Fisheries Mechanism, (Saint Vincent and the Grenadines, January 2009), agreed to elaborate a Common Fisheries Policy and defer consideration of matters relating to the Common Fisheries Regime.

Accordingly, an Agreement Establishing the Caribbean Community Common Fisheries Policy was redrafted and negotiated with a view to setting out elements of policy, including principles and standards to be adopted and harmonised in the conservation, management and sustainable utilisation of the fisheries resources by Member States. Elements of a “regime” were identified in Article 20 for future Protocols to be negotiated among CARICOM Members, including establishing a common fisheries zone and a regional fisheries management organisation.

Following an extensive development and negotiation process, the Agreement Establishing the Caribbean Community Common Fisheries Policy (CCCFP) was approved by the CRFM Ministerial Council during its Fourth Meeting held in St. Mary’s, Antigua and Barbuda on 20 May 2011. The Agreement was reviewed by the COTED, and subsequently recommended by the Legal Affairs Committee for signature by the Heads of Government, it was not adopted for signature.

The COTED, pursuant to Article 15.2 of the Revised Treaty, is “responsible for the promotion of trade and economic development of the Community” which includes the promotion and development of “**policies for the protection of and preservation of the environment and for sustainable development**” (Article 15.2(d)) and policies in relation to natural resources and agriculture. The Fifty-First Special Meeting of the COTED - Agriculture, which met in Suriname in October 2014, considered this matter, and the lengthy delay in formal acceptance and signature since approval by the COTED. and –

***Confirmed** that the Agreement Establishing the Caribbean Community Common Fisheries Policy represents the approved policy of the Community and should be applied insofar as possible.*

The Community Council, recognising the authority of Ministerial Councils, pursuant to the relevant provisions of the Revised Treaty, to approve Community policies, considered this matter at its Thirty-Fifth Meeting (January 2015, Guyana) and –

***Noted** that, although a Community fisheries policy does not require the approval of the Heads of Government, the mandate for the development of the policy had been given by the Conference, and therefore the CARICOM Common Fisheries Policy should be formally submitted to the Conference; and*

***Mandated** the Secretariat to amend the Agreement to be a policy document for submission to the Conference of Heads of Government at its upcoming Inter-Sessional Meeting to be held on 26-27 February 2015 in The Bahamas for its endorsement.*

This document, although delayed, fulfils the mandate of the Community Council for the Agreement to be amended as a policy document which would be the official Caribbean Community Common Fisheries Policy. Accordingly, the substantive sections of the Policy, as far as possible, reflect the text and essential content of the negotiated and approved Agreement.

ii. PURPOSE AND CONTEXT

The CCCFP will enable participating States to collectively undertake the scientific research and studies necessary to determine the status of fish stocks, determine available fishing opportunities, and develop rational harvest strategies and fisheries management plans to ensure optimum sustainable use of the resources and protect the ecosystems. In addition, the States are better placed to coordinate their actions to develop and implement monitoring, control and surveillance systems, and enforce conservation and management measures to protect their fishery resources. In the same manner, the countries are better placed to coordinate their actions to improve welfare and working conditions of fishers, improve competitiveness, effectively develop the fisheries and aquaculture value chains, build trade capacity and negotiate market access arrangements to expand international and regional trade in fish and seafood.

iii. STATUS OF THE POLICY

A policy document is not a binding treaty and does not carry the same status as the Treaty or secondary legislation. As a result of the history of the development of the CCCFP as an intergovernmental agreement, there may be language that is similar to that used in such instruments, however, it is intended to be a policy document. The CCCFP, as a Community Policy, represents the agreed vision, goal and objectives of the Community and its Members in relation to the conservation, management and sustainable utilisation of fisheries resources in the Caribbean. It is expected to be the document that guides the Community in its decision-making and subsequent legal agreements, decisions or measures at both the regional and national levels may be evaluated against the CCCFP.

Since the adoption of the CCCFP in 2014, there have been several actions taken by the Community and the CRFM respectively to implement the CCCFP.

iv. IMPLEMENTATION OF THE POLICY

(i) The Second CRFM Strategic Plan

The CCCFP, as set out in the Agreement, formed the basis for the Second CRFM Strategic Plan 2013-2022. The Seventh Meeting of the CRFM Ministerial Council, held in May 2013, determined that the second Strategic Plan be adopted provisionally, pending formal adoption of the CCCFP by the Conference. Since that time, the Biennial Work Plans of the CRFM, which are based on the Strategic Plan, have been implementing the CCCFP.

(ii) Plan of Action

Subsequent to the adoption of the CCCFP by the COTED, the CRFM approved an initial Plan of Action to assist CARICOM Members to fulfil their obligations under the CCCFP. This CCCFP Plan of Action 2015-2019 aims to improve coordination, monitoring, and implementation of the CCCFP to improve governance of the region's most valuable fisheries resources and aquatic ecosystems. It is designed to facilitate the implementation of the policy aspects of the CCCFP and provides a mechanism for coordinated action by the CRFM Secretariat, Member States, and other regional organizations. While the vision, goal, objectives, and strategies have been listed in the CCCFP, the Plan of Action sets out an implementation plan that details, for each of the Articles containing implementable aspects, all the specific activities, priorities (High, Medium, Low), responsibilities, funding organizations, collaborators, and timeline needed to achieve the goals and objectives of the CCCFP.

(iii) DESIGNATION OF THE COMPETENT AGENCY

The COTED, at its Seventy-first Special Meeting (Agriculture), held in Guyana, October 2017, designated the Caribbean Regional Fisheries Mechanism (CRFM) as the Competent Agency for the CCCFP to have the authority and perform the functions outlined in the CCCFP.

(iv) ADOPTION OF PROTOCOLS TO THE POLICY

The COTED, at its Seventy-Fifth Special Meeting (Agriculture) also accepted two Protocols pursuant to Section 20 of the CCCFP, on the recommendation of the Ministerial Council of the CRFM (Decision No. COTED (SPEC)/2018/75/7.4.2). The following Protocols are contained in the Annex to this Policy:

Protocol 1: Protocol on securing sustainable small-scale fisheries for Caribbean Community fisherfolk and societies.

Protocol 2: Protocol on Climate Change Adaptation and Disaster Risk Management in Fisheries and Aquaculture under the Caribbean Community Common Fisheries Policy

THE POLICY¹

The Members of the Caribbean Community:

Being guided by the Principles and Rights enunciated in the Revised Treaty of Chaguaramas, which was signed by Heads of Government in Nassau, Bahamas on 5 July 2001, and by the Principles expressed in the Agreement establishing the Caribbean Regional Fisheries Mechanism, which was signed in Belize City, Belize on 4 February 2002;

Conscious of the decision of the Conference of Heads of Government of the Caribbean Community at the Fourteenth Inter-Sessional Meeting held in Trinidad and Tobago, 14 to 15 February 2003, to elaborate a Common Fisheries Regime;

Conscious also of the directive of the Ministers responsible for fisheries at the First Meeting of the Ministerial Council of the Caribbean Regional Fisheries Mechanism, held in Saint Vincent and the Grenadines on 16 January 2009, to elaborate the Common Fisheries Policy and defer consideration of matters relating to the Common Fisheries Regime;

Committed to fostering cooperation and collaboration among Members in the conservation, management and sustainable utilisation of fisheries resources and related ecosystems for the welfare and well-being of the peoples of the Caribbean;

Mindful of the relevant provisions of the 1982 United Nations Convention on the Law of the Sea; the 1983 Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region; the 1990 Protocol concerning Specially Protected Areas and Wildlife in the Wider Caribbean; the 1992 United Nations Convention on Biological Diversity; the 1993 Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas; the 1994 Barbados Programme of Action for the Sustainable Development of Small Island Developing States; the 1995 FAO Code of Conduct for Responsible Fisheries; the 1995 United Nations Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks; the 2002 Johannesburg Declaration on Sustainable Development and the Plan of Implementation of the World Summit on Sustainable Development; the 2005 Mauritius Strategy for the Implementation of the Barbados Programme of Action; and the 2009 FAO Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing;

Recognising the Caribbean Sea as a large marine ecosystem that is shared by Members of the Caribbean Community and non- Member States and Territories;

Recognising also the importance of fisheries to social and economic development, food and nutrition security and the welfare of the peoples of the Caribbean;

Conscious that there exists within the jurisdiction of Members underexploited or unexploited fisheries resources of great value which represent a safeguard for the future development of fisheries and, when used sustainably, present an opportunity to increase the contribution of fisheries to the social and economic development of the Caribbean Community;

¹ This section represents the edited text of the approved Agreement Establishing the Caribbean Community Common Fisheries Policy.

Aware that many commercial species are fully or overexploited and are in need of management, conservation and rehabilitation;

Aware also that certain living marine resources, which are of interest to the peoples of the Caribbean, are shared, straddling or highly migratory and in some cases are harvested by Third States;

Conscious of the need to promote the sustainable utilisation of fisheries resources and the need to protect associated ecosystems through the efficient development, management and conservation of such resources;

Noting that Article 60 of the Revised Treaty provides that the Caribbean Community, in collaboration with competent national, regional and international agencies and organisations, shall promote the development, management and conservation of the fisheries resources in and among the Members of the Caribbean Community on a sustainable basis;

Noting also that Article 4(a) of the Agreement establishing the Caribbean Regional Fisheries Mechanism has among its objectives the efficient management and sustainable development of marine and other aquatic resources within the jurisdictions of the Members of CRFM;

Determined to ensure the long-term sustainable utilisation and conservation of the living aquatic resources within the jurisdictions of Members;

Recalling the United Nations General Assembly Resolutions supporting sustainable ocean management in the Caribbean;

Convinced that the implementation of the Caribbean Community Common Fisheries Policy will contribute to the enhanced treatment of the Caribbean Sea as a special area in the context of sustainable development;

Recognising the need to develop the Caribbean Community Common Fisheries Policy in consultation with all relevant parties, including representatives of fisherfolk organisations; **and**

Acknowledging that the COTED, pursuant to Article 15.2 of the Revised Treaty, is “responsible for the promotion of trade and economic development of the Community” which includes the promotion and development of “policies for the protection of and preservation of the environment and for sustainable development” and policies in relation to natural resources and agriculture;

Adopt this Caribbean Community Common Fisheries Policy (“Policy”)

1. Definitions

In this Policy, the following definitions shall apply:

- (a) “access agreement” means an agreement concluded between or among Members or between or among one or more Members and one or more Third States, for the purpose of exploiting the fisheries resources of a State or group of States;
- (b) “aquaculture” means all activities in fresh, brackish or salt waters aimed at the husbandry or culturing of fish or aquatic flora and includes ranching and hatchery-reared re-stocking practices;

- (c) “aquatic flora” means any aquatic plant, including parts or derivatives;
- (d) “Associate Member” means an Associate Member of the Caribbean Community admitted pursuant to Article 231 of the Revised Treaty;
- (e) “Competent Agency” means an organisation designated by Members to support them in achieving the objectives of this Agreement;
- (f) “conservation” means the maintenance, improvement and use of natural resources according to principles that will assure both the sustainability of those resources and economic and social benefits for present and future generations;
- (g) “COTED” means the Council for Trade and Economic Development established by paragraph 2(b) of Article 10 of the Revised Treaty;
- (h) “CRFM” means the Caribbean Regional Fisheries Mechanism, established by Agreement signed by the Heads of Government on 4 February 2002;
- (i) “ecosystem” means a dynamic complex of plant, animal and micro-organism communities and their non-living environment interacting as a functional unit;
- (j) “ecosystem approach to fisheries management” means the balancing of diverse societal objectives, by taking account of the knowledge and uncertainties about biotic, abiotic and human components of ecosystems and their interactions and applying an integrated approach to fisheries within ecologically meaningful boundaries;
- (k) “fish” means any aquatic animal, including parts and derivatives;
- (l) “fisheries management and development plan” means a specific plan, policy or strategy for the management and development of single-species or multi-species fisheries in a sustainable manner;
- (m) “fisheries resources” means any harvestable fish or aquatic flora, natural or cultured;
- (n) “fishing” means:
 - i) the actual or attempted searching for, catching, taking or harvesting of fisheries resources;
 - ii) engaging in any activity which can reasonably be expected to result in the locating, catching, taking or harvesting of fisheries resources, for any purpose;
 - iii) placing, searching for or recovering fish aggregating devices or associated electronic equipment, such as radio beacons;
 - iv) any other operations at sea, on a lake, in a river or within any other water body in connection with, or in preparation for, any activity described in paragraphs (i) to (iii), including transshipment; and
 - v) use of any other vessel, vehicle, aircraft or hovercraft, for any activity described in paragraphs (i) to (iv),
 but does not include any operation related to emergencies involving the health or safety of crew members or the safety of a vessel;
- (o) “fishing effort” means the level of fishing, as may be defined, *inter alia*, by the number of fishing vessels, the number of fishers, the amount of fishing gear and technology that may enhance catchability and the time spent on fishing or searching for fish;
- (p) “fishing vessel” means any vessel, boat, ship or other craft, including associated equipment, which is used for or is intended to be used for fishing;
- (q) “Member” means any Member of the Caribbean Community pursuant to Article 5 of the Revised Treaty;
- (r) “precautionary approach to fisheries management” means an approach to management according to which:
 - i) Members shall be more cautious when information is uncertain, unreliable or inadequate; and
 - ii) the absence of adequate scientific information shall not be used as a reason for postponing or failing to take conservation and management measures;

- (s) “Revised Treaty” means the Revised Treaty of Chaguaramas establishing the Caribbean Community including the CARICOM Single Market and Economy, signed by Heads of Government in Nassau, Bahamas on 5 July 2001;
- (t) “SPS” means sanitary and phytosanitary standards;
- (u) “stock” means fisheries resources in a given management area; and
- (v) “Third State” means a State or Territory that is not a Member.

2. Status of the Caribbean Community Common Fisheries Policy

This Policy represents the approved Community Policy as set out in the *Agreement Establishing the Caribbean Community Common Fisheries Policy* approved by the COTED at its Fifty-First Special Meeting (Agriculture) held in Suriname, October 2014. The COTED –

“Confirmed that the Agreement Establishing the Caribbean Community Common Fisheries Policy represents the approved policy of the Community and should be applied insofar as possible”

3. Application

As a Caribbean Community Policy, this Policy is to be applied by the Community and its Members. Associate Members of the Community which are also members of the CRFM may also apply this Policy.

4. Vision, Goal and Objectives

4.1 Vision

The vision of the Caribbean Community Common Fisheries Policy is effective cooperation and collaboration among Members in the conservation, management and sustainable utilisation of the fisheries resources and related ecosystems in the Caribbean region in order to secure the maximum benefits from those resources for the Caribbean peoples and for the Caribbean region as a whole.

4.2 Goal

The goal of the Caribbean Community Common Fisheries Policy is to establish, within the context of the Revised Treaty, appropriate measures for: the conservation, management, sustainable utilisation and development of fisheries resources and related ecosystems; the building of capacity amongst fishers and the optimisation of the social and economic returns from their fisheries; and the promotion of competitive trade and stable market conditions, so as to realise the vision expressed in Article 4.1.

4.3 Objectives

The objectives of the Caribbean Community Common Fisheries Policy are to:

- (a) promote the sustainable development of fishing and aquaculture industries in the Caribbean region as a means of, *inter alia*, increasing trade and export earnings, protecting food and nutrition security, assuring supply to Caribbean markets and improving income and employment opportunities;

- (b) develop harmonised measures and operating procedures for sustainable fisheries management, post-harvest practices, fisheries research and fisheries trade and the administration of the fishing industry;
- (c) improve the welfare and livelihoods of fishers and fishing communities;
- (d) prevent, deter and eliminate illegal, unreported and unregulated fishing, including by promoting the establishment and maintenance of effective monitoring, control, and surveillance systems;
- (e) build the institutional capabilities of Members, *inter alia*, to conduct research, collect and analyse data, improve networking and collaboration among Members, formulate and implement policies and make decisions;
- (f) integrate environmental, coastal and marine management considerations into fisheries policy so as to safeguard fisheries and associated ecosystems from anthropogenic threats and to mitigate the impacts of climate change and natural disasters;
- (g) transform the fisheries sector towards being market-oriented, internationally competitive and environmentally sustainable, based on the highest international standards of quality assurance and sanitary and phytosanitary systems;
- (h) strengthen, upgrade and modernise fisheries legislation; and
- (i) facilitate the establishment of a regime for SPS for the fisheries sector.

5. Fundamental Principles

The following fundamental principles shall guide the implementation of this Agreement:

- (a) use of the best available scientific information in fisheries management decision-making, taking into consideration traditional knowledge concerning the resources and their habitats as well as environmental, economic and social factors;
- (b) application of internationally recognised standards and approaches, in particular the precautionary approach to fisheries management and the ecosystem approach to fisheries management;
- (c) the principle that the level of fishing effort should not exceed that commensurate with the sustainable use of fisheries resources;
- (d) the participatory approach, including consideration of the particular rights and special needs of traditional, subsistence, artisanal and small-scale fishers;
- (e) principles of good governance, accountability and transparency, including the equitable allocation of rights, obligations, responsibilities and benefits; and
- (f) the principle of subsidiarity, in particular that the Competent Agency will only perform those tasks which cannot be more effectively achieved by individual Members.

6. Scope

- 6.1. The Agreement shall apply to: the development and management of fisheries and aquaculture; the conservation, sustainable development and management of fisheries resources and related ecosystems; the production, processing, marketing and trading of fishery and aquaculture products; and to the welfare of fishers.
- 6.2. The Agreement shall apply within areas under the jurisdiction of Members, on board fishing vessels flying the flag of a Member and, subject to the primary jurisdiction of the flag State when fishing takes place on the high seas or the coastal State when fishing takes place in the waters of a Third State, to nationals of Members.

7. General Undertakings on Implementation

- 7.1. Members shall take all appropriate measures to secure the fulfilment of obligations arising under this Agreement and shall abstain from any measures which could jeopardise the attainment of its objectives.
- 7.2. Members undertake to adopt, as appropriate, detailed rules for the implementation of this Policy, in particular by preparing Protocols in accordance with Article 20.
- 7.3. Members undertake to establish or designate a regional organisation as the Competent Agency with responsibility for implementing this Policy and, as appropriate, any Protocols adopted under it and, if necessary, to establish such an organisation by means of a Protocol adopted under Section 20.
 - 7.3.1 The COTED has designated the CRFM as the Competent Agency at its Seventy-First Special Meeting -Agriculture, held in Guyana in October 2017.

8. Role of the Competent Agency

- 8.1. The Competent Agency, where requested by one or more Members, and in accordance with the principle of subsidiarity in Section 5(f), shall cooperate with and provide assistance to those Members in order to support them in achieving the objectives of this Agreement or in discharging their obligations under it.
- 8.2. The functions which may be performed by the Competent Agency pursuant to Article 8.1, shall include:
 - (a) providing technical assistance and advice in connection with the implementation of this Agreement, including where appropriate technical assistance and advice on national policy, management or law or on subregional, regional or global policy, management or law;
 - (b) making recommendations on any of the matters referred to in paragraph (a);
 - (c) coordinating or undertaking data collection, research and development activities;
 - (d) providing coordination or cooperation facilities, services or mechanisms, as may be required to fulfil the objectives of this Agreement;
 - (e) identifying and mobilising technical and financial resources, in collaboration with multilateral and bilateral donor agencies, to build the research, administrative and management capacities of Members;
 - (f) supporting Members in their relations with Third States, directly or in relevant international organisations, including by providing representation at the international level of the Members collectively;
 - (g) any other functions which may be requested by one or more Members for purposes related to implementation of this Agreement.
- 8.3. In providing assistance and facilitation under Section 8.1 and in carrying out its functions under this Policy, the Competent Agency shall:
 - (a) give effect, as far as possible, to the Vision, Goal and Objectives set out in section 4; and
 - (b) be guided by the Principles set out in section 5 and by applicable principles set out in the Community Agricultural Policy and the Fisheries Management and Development

provisions of the Revised Treaty and by principles provided for in any other applicable international agreements concerning fisheries.

- 8.4. Members and the Competent Agency shall agree on rules of procedure, including as necessary any budgetary contributions or other financial regulations, for the carrying out functions by the Competent Agency under this Policy.
- 8.5. COTED shall review the role and functions set out for the Competent Agency in this Policy and if necessary, shall modify, supplement or remove those functions or where appropriate, by a Protocol adopted by Members under Section 20.

9. Access to Fisheries Resources

- 9.1. Without prejudice to the jurisdiction and authority of Members over fisheries resources in areas under their national jurisdiction, and existing obligations under the Revised Treaty, Members may consider entering into:
 - (a) arrangements, including access agreements, with other Members for the purpose of providing access to fishing opportunities in their waters; and
 - (b) such arrangements or access agreements with Third States or international organisations; andin doing so, subject to the limits of their capabilities, shall take account of the applicable provisions of the United Nations Convention on the Law of the Sea and other instruments, including the objective of optimum utilisation and the provision of access to surplus fisheries resources.
- 9.2. Members shall seek to:
 - (a) develop opportunities and to promote the equal participation of Members in fisheries on the high seas, and
 - (b) develop opportunities in areas within the national jurisdiction of Third States, and to this end shall collaborate directly or through the Competent Agency and other competent regional and international fisheries bodies.

10. Fisheries Sector Development

Members, to the extent of their capabilities, will endeavour to promote and adopt measures to enhance the development of the fisheries and aquaculture sectors and to improve the welfare and socio-economic conditions of fishers and fishing communities, including, *inter alia*, by:

- (a) improving the business, financial and insurance environment;
- (b) promoting and facilitating joint ventures;
- (c) promoting access to training;
- (d) supporting capital investment;
- (e) promoting the involvement of stakeholders, in particular in planning and management activities, including by supporting the formation and strengthening of fisherfolk organisations; and
- (f) supporting and protecting the rights of traditional, subsistence, artisanal and small-scale fishers.

11. Statistics and Research

Members, acting directly and, where appropriate, in collaboration with other Members, Third States, the Competent Agency or relevant international organisations, and in an effort to achieve the objectives of this Policy, are required, *inter alia*, to:

- (a) collect and compile fisheries catch and fishing effort, registration and licensing data as well as biological, ecological, economic, social, aquaculture and any other relevant data;
- (b) conduct research in order to:
 - i) ascertain the status of fish stocks;
 - ii) determine the effects of environmental changes on fisheries and aquatic ecosystems;
 - iii) analyse the effectiveness of management and conservation measures;
 - iv) evaluate the social and economic performance of fisheries and aquaculture;
 - v) determine the development potential of underutilised and unutilised fisheries resources; and
 - vi) otherwise contribute to the fulfilment of an objective of this Policy;
- (c) develop and maintain national and regional databases relating to (a) and (b) and develop and adopt appropriate standards for data and information sharing ; and
- (d) analyse data and information collected and, subject to any confidentiality requirements, to disseminate it periodically to Members and the Competent Agency.

12. Conservation and Management of Fisheries Resources

- 12.1. Members shall formulate, adopt, implement and revise conservation and management measures and, where appropriate, fisheries management and development plans on the basis of the best available information, including traditional knowledge.
- 12.2. Members shall formulate, adopt and implement conservation and management measures and development strategies on the basis of:
 - (a) fisheries management and development plans and other fishery-specific conservation, management and recovery plans;
 - (b) the Fundamental Principles set out in section 5; and
 - (c) as appropriate, other provisions of this Policy and other relevant international standards in fisheries management.
- 12.3. In implementing section 12.1, Members shall, where appropriate, seek to adopt harmonised measures, legislation, plans or strategies.
- 12.4. Members shall cooperate with regional fisheries management organisations and, as appropriate, other international organisations in the management of shared, straddling and highly migratory fish stocks.
- 12.5. Members shall discourage the use of measures and practices that will contribute to unsustainable fishing.

13. Registration and Licensing

- 13.1. Members shall take into account the status of available fisheries resources and existing fishing capacity when registering and licensing fishing vessels, fishers and other operators in the fisheries and aquaculture sector.

- 13.2. In order to maintain the balance between fishing capacity and fisheries resources, Members, to the extent of their capabilities, shall, *inter alia*:
- (a) establish and maintain a national register of fishing vessels flying its flag;
 - (b) establish and maintain a national licensing system for fishing vessels flying its flag;
 - (c) establish and maintain a record of licences or authorisations issued to fishing vessels, fishers and other operators in the fisheries and aquaculture sector; and
 - (d) cooperate with the Competent Agency to establish and maintain a regional fishing fleet register.
- 13.3. In implementing section 13.2, Members, where appropriate through the Competent Agency, shall consider the development of harmonised procedures or common standards in relation to licensing systems.
- 13.4. Members shall, in accordance with agreed procedures, share with the Competent Agency information collected through the national registers established under section 13.2(a) and the records under section 13.2(c) for the purpose of maintaining a regional register under section 13.2(d).

14. Inspection, Enforcement and Sanctions

- 14.1. Each Member to the extent of its capabilities, shall develop, either directly or through cooperation with other Members or the Competent Agency, as appropriate, such inspection and enforcement measures as are necessary to ensure compliance with:
- (a) the rules contained in and adopted pursuant to this Policy;
 - (b) national regulations relating to fisheries; and
 - (c) rules of international law, binding on the Member concerned.
- 14.2. The inspection and enforcement measures referred to in section 14.1 shall apply to rules applicable in the territory of the Member, in waters under its jurisdiction, on fishing vessels flying its flag and, where appropriate, and subject to the primary jurisdiction of the flag State when fishing takes place on the high seas or the coastal State when fishing takes place in the waters of a Third State, to its nationals, wherever they may be.
- 14.3. In implementing section 14.1, Members shall, *inter alia*:
- (a) monitor, control and undertake surveillance of their maritime space and co-operate in monitoring, controlling and undertaking surveillance of areas contiguous to their maritime space in order to prevent, deter and eliminate illegal, unreported and unregulated fishing as appropriate;
 - (b) establish an appropriate vessel monitoring system to monitor the position and activity of vessels flying their flag;
 - (c) adopt port and “at sea” inspection schemes;
 - (d) take inspection and enforcement measures necessary to ensure compliance with the rules of this Agreement;
 - (e) ensure that appropriate and effective measures are taken against violators of the applicable rules and in particular that such measures are capable, in accordance with the relevant provisions of national law, of effectively depriving those responsible of the economic benefit of the infringements and of producing results proportionate to the seriousness of such infringements.

15. Confidentiality and Intellectual Property Rights

- 15.1. Members shall retain ownership of any data, information or product made available to other Members or to the Competent Agency as a result of the implementation of this Policy.
- 15.2. All intellectual property rights in data, documents and products developed by the Competent Agency in the course of implementing this Policy shall, subject to and in accordance with any relevant contractual obligation, belong to the Competent Agency.
- 15.3. All intellectual property rights in data, documents and products developed by the Competent Agency from material made available by one or more Members shall jointly belong to the Competent Agency and the Members involved.
- 15.4. The Competent Agency shall make available to public institutions and others, for non-commercial and educational purposes, such of its informational products as it considers appropriate.
- 15.5. The Competent Agency and Members shall maintain the confidentiality of any proprietary information or any other information provided on a confidential basis by any other Participating Party and shall refrain from disclosing such information to third parties or using it for purposes other than those for which it was provided.
- 15.6. The identity of individuals from whom research data or information is obtained shall be kept strictly confidential. No information revealing the identity of any individual shall be included in any report or other communication, unless the individual concerned has given prior consent in writing to such inclusion.

16. Dissemination of Information

- 16.1. Members shall disseminate to other Members and to the Competent Agency:
 - (a) statistical data on fisheries;
 - (b) information on research findings;
 - (c) information on proposed management programmes;
 - (d) information resulting from implementation of management programmes; and
 - (e) information on the activities taken for the implementation of this Policy.
- 16.2. Members and the Competent Agency shall disseminate relevant information to stakeholders to enable them to be familiar with regional and international developments in fisheries and thereby facilitate informed decision-making and widespread acceptance of and participation in this Policy.
- 16.3. Members shall promptly notify the Competent Agency and other Members of any localised threats, whether actual or potential, to their fisheries and marine ecosystems which may cause harm to the fisheries resources, environment or economic interest of other Members.
- 16.4. Nothing in this Policy shall be deemed to require a Member, in fulfilment of the objectives of this Policy, to supply information, the disclosure of which is contrary to its national security interests.

17. Public Awareness

The Community and Members shall promote public awareness of good conservation, exploitation and management policies and practices in relation to this Policy by, *inter alia*:

- (a) informing stakeholders of the status of this Policy;
- (b) strengthening regional and sub-regional institutions working with citizens, especially fishers and fishing communities, with a view to increasing knowledge and understanding of methods of conserving, sustaining and preserving living aquatic resources and of avoiding overexploitation of them;
- (c) collaborating with relevant educational institutions to introduce sustainable use of living aquatic resources into their programmes;
- (d) establish research and education programmes to raise awareness of the impact of global warming, climate change, sea level rise and other environmental changes on the fisheries sector; and
- (e) promoting recognition of the Caribbean Sea as a special area in the context of sustainable development.

18. Marketing and Trade of Fisheries Resources

18.1. The Community, acting where appropriate in collaboration with Members, Third States, the Competent Agency or relevant international organisations, and in an effort to achieve the objectives of this Policy, shall develop, *inter alia*:

- (a) harmonised food quality assurance legislation;
- (b) harmonised intra-regional SPS measures;
- (c) common marketing standards for fisheries and aquaculture products; and
- (d) national or common policies, measures and standards to:
 - i) encourage stable market conditions;
 - ii) promote the production and marketing of fishery products;
 - iii) develop new and existing markets in fishery products including external markets for the Caribbean region's fisheries products;
 - iv) enhance intelligence on developments in internal and external markets at all levels;
 - v) facilitate trade between Members;
 - vi) strengthen relevant human, institutional and technological capacities, including the transfer and development of relevant technologies; and
 - vii) otherwise improve the management of fish-handling practices, marketing or trade in the Community.

18.2. In implementing section 18.1, Members shall act consistently with their obligations under relevant international agreements, and in particular those under the Revised Treaty and the World Trade Organisation agreements, where applicable, and shall also take into account relevant international standards on trade, marketing and SPS.

19. Links with International Organisations

In order to promote the objectives of this Policy, the Community and the Competent Agency shall facilitate the development of strategic alliances and partnerships with relevant agencies created by multilateral environmental agreements as well as regional fisheries management organisations and arrangements and other relevant national, regional and international agencies and organisations, whether governmental or non-governmental.

20. Protocols

- 20.1. Members undertake to prepare Protocols relating to:
- (a) the Competent Agency;
 - (b) research on fisheries and associated ecosystems;
 - (c) harmonisation of fisheries legislation;
 - (d) cooperation in monitoring, control and surveillance to combat illegal, unregulated and unreported fishing;
 - (e) establishment of a common fisheries zone;
 - (f) aquaculture;
 - (g) establishment of a regional fisheries management organisation or arrangement;
 - (h) sanitary and phytosanitary measures;
 - (i) data and information sharing;
 - (j) enforcement;
 - (k) settlement of disputes; and
 - (l) any other matter for which protocols are necessary for the implementation of this Policy.
- 20.2. Pending the preparation of the Protocols set out in section 20.1, Members may cooperate on arrangements of a provisional nature in the above fields.
- 20.3. Members shall agree, with respect to each Protocol, on the procedure for the preparation and adoption of each Protocol.
- 20.4. Protocols which have been concluded under this Policy shall form an integral part of this Policy and, unless expressly provided otherwise, a reference to this Policy includes a reference to the Protocols.

21. Reporting, Review and Development

- 21.1. The Competent Agency shall submit annual reports to the COTED and the Council for Foreign and Community Relations (COFCOR) on the implementation of this Policy.
- 21.2. COTED shall, in light of changing circumstances, and in any event no later than 5 years after its approval, review this Policy, as may be required to achieve its vision, goal and objectives.
- 21.3. The review and development referred to in section 21.2 may include, *inter alia*:
- (a) consultation with stakeholders to assess the impacts of this Policy and, if required, development of proposals for its implementation or amendment;
 - (b) provision by the Competent Agency of technical support for the consultations and the analysis of the consultation results in order to inform decision-making;
 - (c) such other formal procedures or other methods as COTED consider necessary to facilitate the implementation of this Policy.

22. Amendments

This Policy may be amended by the COTED pursuant to the provisions of the Revised Treaty and the established procedures of the Community.

23. Dispute Settlement

The procedures for the settlement of disputes set out in the Revised Treaty shall apply *mutatis mutandis* to the settlement of disputes concerning the interpretation or application of this **Policy**, whether or not the parties to the dispute are Parties to the Revised Treaty.

ANNEXES

- I: Protocol 1: *Protocol on securing sustainable small-scale fisheries for Caribbean Community fisherfolk and societies*. Adopted pursuant to Decision No. COTED (SPEC)/2018/75/7.4.2
- II: Protocol 2: *Protocol on Climate Change Adaptation and Disaster Risk Management in Fisheries and Aquaculture under the Caribbean Community Common Fisheries Policy*. Adopted pursuant to Decision No. COTED (SPEC)/2018/75/7.4.2

ANNEX 1: PROTOCOL ON SECURING SUSTAINABLE SMALL-SCALE FISHERIES FOR CARIBBEAN COMMUNITY FISHERFOLK AND SOCIETIES

The Ministerial Council of the Caribbean Regional Fisheries Mechanism:

Conscious that small-scale fisheries comprise approximately half of the global fish catch and contribute immeasurably to food and nutrition security poverty eradication and sustainable development;

Recognising that small-scale fisheries also provide services deeply entrenched in the values, cultures, economies, livelihoods and future aspirations of Caribbean coastal communities to sustain their well-being;

Committed to the Caribbean Regional Fisheries Mechanism (CRFM) mission to “Promote and facilitate the responsible utilisation of the region’s fisheries and other aquatic resources for the economic and social benefits of the current and future population of the region”;

Mindful of the global endorsement of the *Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication* (SSF Guidelines) by the 31st Session of the Committee on Fisheries (COFI) of the Food and Agriculture Organization (FAO) of the United Nations in June 2014;

Appreciating the relevance of the 2010 Castries (St. Lucia) Declaration on Illegal, Unreported and Unregulated (IUU) Fishing to equity, bearing in mind the centrality of human rights and social justice enshrined in the vision of the Caribbean Community;

Noting the participatory process of consultation undertaken with CRFM fisheries stakeholders that showed they support implementation of the SSF Guidelines;

Aware of the advantages of promoting human rights based approaches to small-scale fisheries and sustainable development, including gender equality and equity, in the CCCFP by implementing the SSF Guidelines;

Convinced that the SSF Guidelines will contribute to achieving the mission of the CRFM and enhancing the development of small-scale fisheries through implementation of the CCCFP;

Have agreed as follows:

Article 1: Use of Terms

“Competent Agency” means the Caribbean Regional Fisheries Mechanism

“SSF Guidelines” means the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication including any amendments

“Policy” means the – Caribbean Community Common Fisheries Policy and the definitions in Article 1 of the Policy apply to this Protocol

“Protocol” means this instrument, urged under article 7 and made under Article 20 of the Policy, to incorporate the SSF Guidelines

Article 2: Objective of the Protocol

- 2.1 The objective of this Protocol is to secure sustainable small-scale fisheries for Caribbean Community fisherfolk and societies.
- 2.2 To support this objective the Participating Parties agree to incorporate the SSF Guidelines into the Policy, and into programmes, plans and other initiatives of their fisheries authorities and the Competent Agency, with special attention to gender equality, equity and human rights based approaches.

Article 3: Implementation of the Protocol

- 3.1 The SSF Guidelines and hence the implementation of them through this protocol are voluntary in nature. The SSF Guidelines should be interpreted and applied in accordance with the legal systems and institutions of Participating Parties and the Competent Agency.
- 3.2 Regional implementation of the SSF Guidelines should be guided by meaningful and substantive participatory, consultative, multi-level, inter-sectoral and objective-oriented modern governance and management processes that accommodate and incorporate the voices and perspectives of all stakeholders, including men and women, and young people and the elderly, utilizing an ecosystem approach to fisheries.
- 3.3 Subject areas of the SSF Guidelines addressed under this Protocol, include:
 - A. Governance of tenure and resource management;
 - B. Social development, employment and decent work;
 - C. Value chains, post-harvest and trade;
 - D. Gender equality;
 - E. Disaster risks and climate change;
 - F. Policy coherence, institutional coordination and collaboration;
 - G. Information, research and communication;
 - H. Capacity development; and
 - I. Implementation support and monitoring
- 3.4 Nothing in this Protocol or in the SSF Guidelines should be read as limiting or undermining any rights or obligations to which a Participating Party may be subject under international law.
- 3.5 The SSF Guidelines may be used to guide change, and inspire new or supplementary legislative and regulatory provisions, including regional or national fisheries policies and management plans, and pathways towards achieving sustainable development and similar global goals.
- 3.6 Participating Parties are urged to establish, strengthen, support and engage fisherfolk organizations as necessary to effectively implement this Protocol and the SSF Guidelines; this being especially through adaptive fisheries management plans that are actively kept under review.

Article 4: Entry Into Force

- 4.1 This Protocol shall enter into force on a date to be agreed by the Ministerial Council of the Caribbean Regional Fisheries Mechanism².

² *The 12th Meeting of the CRFM Ministerial Council held at Little Bay, Montserrat, on 18 May 2018, agreed that the Protocol on Securing Sustainable Small-Scale Fisheries shall enter into force immediately.*

ANNEX 2: PROTOCOL ON CLIMATE CHANGE ADAPTATION AND DISASTER RISK MANAGEMENT IN FISHERIES AND AQUACULTURE UNDER THE CARIBBEAN COMMUNITY COMMON FISHERIES POLICY

The Ministerial Council of the Caribbean Regional Fisheries Mechanism:

Aware that the Caribbean region is one of the most vulnerable regions in the world to the impacts of climatic variability and climate change;

Recognising that global climate change is a development issue, requiring the formulation and implementation of cost-effective policies and measures to ensure that the risks posed by a changing climate to the development prospects of the region are significantly reduced;

Concerned that climate change and ocean acidification will impact the health of coastal and marine habitats such as coral reefs, seagrasses and mangroves, and will significantly affect the distribution, abundance, seasonality, sustainability and production of fisheries in the Caribbean;

Deeply concerned that these changes will have significant social and economic implications for coastal communities and those working in the fisheries sector and will affect livelihood and employment, health and safety, food security and cultural practices;

Deeply concerned that delayed action in adapting to a changing climate will result in significant increases in the social, environmental, and economic costs of responding;

Conscious that the Caribbean in general, and the fisheries sector specifically, faces the challenges of adapting to current climate variability, ocean acidification and Climate Hazard risks, while preparing for the projected impacts of global climate change;

Mindful that the scale of the challenges posed by a changing climate, limits the ability of any CARICOM country acting on its own to build resilience, therefore requiring CARICOM States and the regionally-mandated organisations to work collectively through the regional enabling and support mechanisms to maximise their resources and technical expertise to the benefit of all;

Noting the guidance of the *2030 Agenda for Sustainable Development* and in particular Goal 13: Take urgent action to combat climate change and its impacts, and Goal 14: Conserve and sustainably use the oceans, seas and marine resources for sustainable development;

Considering the guidance on measures to address disaster risks and climate change as presented in Section 9 of the *Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication*;

Committed to working within the CARICOM enabling frameworks established by the *Caribbean Community Common Fisheries Policy*, the *CARICOM Regional Comprehensive Disaster Management (CDM) Strategy and Results Framework 2014 - 2024*, the *Regional Framework for Achieving Development Resilience to climate Change 2009 - 2015*, and its implementation plan, *Delivering Transformational Change 2011 - 2021*;

Encouraged by the efforts already undertaken by CARICOM bodies, civil society and private sector organisations to strengthen cooperation for the sustainable development management and

conservation of national and regional fisheries resources and the supporting ecosystems and ecosystem services through *inter alia*, the activities of the *Caribbean Regional Fisheries Mechanism* and the *Caribbean Community Common Fisheries Policy*;

Noting that Article 7.2 of the *Caribbean Community Common Fisheries Policy* creates a general undertaking that the Participating Parties will prepare and adopt, as appropriate, Protocols establishing detailed rules for the implementation of the Policy;

Noting also that Article 20.4. of the *Caribbean Community Common Fisheries Policy* provides that such Protocols which have been adopted shall form an integral part of Policy and, unless expressly provided otherwise, a reference to Policy includes a reference to the Protocols;

Have agreed as follows:

ARTICLE 1 ***Use of Terms***

For the purposes of this Protocol:

“Caribbean Regional Fisheries Mechanism” or “CRFM” means the organisation established by Article 2 of the 2002 Agreement Establishing the Caribbean Regional Fisheries Mechanism. The CRFM consists of three bodies: the Ministerial Council; the Caribbean Fisheries Forum; and the CRFM Secretariat. The CRFM is comprised of 17 Member States.

“Competent Agency” means the CRFM.

“Fisheries Sector” means both the capture fisheries and aquaculture sub-sectors and the associated value chains.

“Climate Hazard” means a physical process or event (hydro-meteorological or oceanographic variables or phenomena) that can harm human health, livelihoods, or natural resources.

“Member State” or Participating Party” means any State or Territory that has signed or acceded to the CRFM Agreement.

“Policy” means the *Caribbean Community Common Fisheries Policy* and the definitions in Article 1 of the Policy apply to this Protocol.

“Protocol” means this instrument, mandated under Article 7 and made under Article 20 of the *Caribbean Community Common Fisheries Policy*.

ARTICLE 2: ***Goal***

The goal of this Protocol is to ensure development of a regional Fishery Sector that is resilient to climate change and ocean acidification, and enhanced through comprehensive disaster management, and sustainable use of marine and other aquatic living resources and ecosystems.

ARTICLE 3:
Objective

The overall objective of the Protocol is to support Member States in adapting to the impacts of climate change and building resilience in Fisheries Sector livelihoods assets and ecosystems, through research and integrated adaptive planning and policy development, awareness and capacity building and regulatory reforms.

ARTICLE 4:
Scope

- 4.1 This Protocol is an integral part of the Caribbean Community Common Fisheries Policy and shall be interpreted and applied in the context of, and in a manner consistent with the Policy. The Protocol shall apply to all aspects of fisheries and aquaculture and livelihood assets under the jurisdiction of Member States.
- 4.2 The Protocol shall consider all meteorological Climate Hazards, climate variability, climate change and ocean acidification impacts that may affect the Fisheries Sector and related livelihoods assets.

ARTICLE 5:
Principles

The implementation of the Protocol shall be guided by the following principles:

Take Proactive Action: Anticipate the impacts of climate change and Climate Hazards and plan for the incidents as if they were to occur, rather than waiting for the impact to occur before responding.

Apply the Precautionary Principle: Preparedness for climate change and all Climate Hazards, and resilient activities should be based on the best available scientific data. However, in cases where scientific data are inadequate or lacking but there is reasonable suspicion that climate change, ocean acidification or Climate Hazards events are likely to cause severe harm, the best information available, at the time, including traditional ecological knowledge, shall be used in adaptation, preparedness and resilient decision-making and planning.

Flexibility: The Protocol shall be a flexible and living document that allows for the inclusion of additional data, information and ideas as they become available.

Participatory Approaches: Decision making shall involve everyone who has a stake in the Fisheries Sector. Due consideration shall be given to their views, traditional rights and special needs.

Subsidiarity: Action to adapt to climate change and Climate Hazard impacts on the Fisheries Sector should be taken at the lowest level of competency.

Interactive Governance: An integrative, inclusive, nested, multi-level, regional governance system for fisheries livelihoods assets that is built on linkages between the global, regional, sub-regional and national levels; and embrace complete policy cycles and support processes for continually improving policies and practices, through coordinated and structured learning from the outcomes of previously employed policies and practices.

ARTICLE 6:
Role of Member States

- 6.1 Member States shall take action and adopt measures to combat climate change and ocean acidification and their impacts, build resilience and protect Fisheries Sector livelihood assets, and in doing so shall pay attention to:
- (i) determining the possible impacts of climate change and climate hazards events on the Fisheries Sector, including the relevant livelihoods assets (natural, human, social, physical and financial) and governance systems (laws, policies and institutions);
 - (ii) preparing and implementing a complimentary combination of climate smart policies, plans and measures to mitigate, cope and recover from these impacts;
 - (iii) incorporating climate change adaptation and disaster risk management into the planning, budgetary, development and decision-making processes at the national level;
 - (iv) preparing and implementing public education and awareness raising measures for climate change and disaster risk reduction in the Fisheries Sector.
 - (v) preparing and implementing monitoring and evaluation planning and policies arrangements to ensure that the adaptation measures meet accepted criteria for environmental, cost and distributional effectiveness and institutional feasibility;
 - (vi) enhancing governance systems to ensure the sustainability of fish stocks and their ecosystems in the light of the impacts of climate change and climate hazards as well as the Fisheries Sector production systems.
- 6.2. Member States shall promote and conduct research and establish monitoring systems to strengthen the knowledge base and inform the preparation and implementation of local, national and regional adaptation policies, plans, and legislation as well as public education and awareness raising measures, to combat climate change, ocean acidification and disaster risk reduction in the Fisheries Sector.
- 6.3. Each Member State shall incorporate in their fisheries management, national adaptation, economic development, physical development, land-use, data collection and management, and hazard risk management plans and policies affecting the Fisheries Sector, provisions for climate change information, climate change adaptation and disaster risk management. These provisions shall provide for, *inter alia*:
- (i) Identifying fisheries stakeholder livelihood assets and governance systems that are critical to the Fisheries Sector that are likely to be impacted by climate change, ocean acidification and Climate Hazard events, and indicate how they are likely to be impacted;
 - (ii) Identifying the actions and resources required to reduce the negative impacts of climate change, ocean acidification and Climate Hazard events, aid recovery and build resilience in the Fisheries Sector;
 - (iii) Assessing the ability of the national Fisheries Sector to resist, cope and recover in a timely and efficient manner from the effects of climate change, ocean acidification or Climate Hazard events;
 - (iv) Developing and adopting policies and measures to ensure the maintenance of food security, hygiene and sanitary and phyto-sanitary standards, and supply of fish and seafood products in the face of climate change, ocean acidification and Climate Hazards;
 - (v) Enacting climate smart national policies and enabling legislation for, *inter alia*, protected areas, wildlife protection, fisheries and marine ecosystem conservation and management, environmental protection, pollution and waste management, the observance of which will support and further the objectives of this Protocol;

- (vi) Creating an enabling policy environment for the private sector and civil society to self-organise, learn and adapt with minimal or no external inputs;
- (vii) Keeping the provisions under constant review;
- (viii) Lodging copies of their fisheries management plans with the CRFM Secretariat and thereafter reporting to the Secretariat to document progress made, and challenges experienced, in implementing the provisions of the Protocol in those plans;
- (ix) Reporting to the CRFM immediately, and sharing with other Member State, any information or event of which they are aware, that is likely to adversely impact the Fisheries Sector at the national or regional levels;
- (x) Appointing a national Fisheries Sector climate change focal point to:
 - (a) Champion the incorporation of climate change adaptation and disaster risk management in the Fisheries Sector into the planning, budgetary development and decision-making processes at the national level;
 - (b) Work with stakeholders to keep the provisions under constant review;
 - (c) Coordinate activities (include training) at the national level to combat the adverse effect of climate change, ocean acidification and Climate Hazards on the Fisheries Sector;
 - (d) Monitor and report to the CRFM on the impact of climate change, ocean acidification and Climate Hazards on the Fisheries Sector, and implement plans to address the impacts, and;
 - (e) Coordinate the development of education and public awareness programmes on climate change adaptation and disaster risk management in the Fisheries Sector.

ARTICLE 7

Role of the Competent Agency

- 7.1 The CRFM, where requested by one or more Member States, and in accordance with the principle of subsidiarity in Article 5, shall cooperate with, and assist those Member States in order to support them in achieving the objectives of this Protocol and in discharging their obligations and commitments under it.
- 7.2 The functions that may be performed by the CRFM pursuant to paragraph 7.1 include coordinating activities, as required, with development partners, Fisheries Sector stakeholders and national focal points, for the purpose of:
 - (a) Identifying the actions and resources required to mitigate negative climate change, ocean acidification and Climate Hazard impacts, aid recovery and build resilience;
 - (b) Assessing the ability of the Member States to resist, cope with, and recover from, the effects of climate change, ocean acidification or Climate Hazard events, in a timely and efficient manner;
 - (c) Providing policy briefs and guidance to Member States, as required, to facilitate implementation of the provisions of this Protocol;
 - (d) Reviewing existing mechanisms, tools, and strategies to ensure that they reflect the climate change and Climate Hazards preparedness and resilience needs of the Fisheries Sector;
 - (e) Building capacity at the regional and national levels to combat the adverse effects of climate change, ocean acidification and Climate Hazard events on Fisheries Sector livelihoods assets and operations;

- (f) Mobilizing financial resources and technical assistance to assist Member States and the CRFM in strengthening national and regional response to the impacts of changing climate, ocean acidification and Climate Hazards on the Fisheries Sector;
- (g) Assisting regional and national organisations to develop the necessary skills and capabilities for data collection, analysis and research to inform decision making to enhance the resilience and reduce risks arising from climate change, ocean acidification and Climate Hazard;
- (h) Assisting Member States in:
 - (a) anticipating and assessing climate change, ocean acidification and Climate Hazard impacts;
 - (b) developing climate change and Climate Hazard preparedness and resilience plans and budgets; and
 - (c) preparing and implementing measures to reduce the impacts of climate change and Climate Hazard events on Fisheries Sector assets and operations.
- (i) Functioning as a repository for data and information relating to climate change, ocean acidification and Climate Hazard impacts on the Fisheries Sector livelihoods assets at the regional level;
- (j) Analyzing the data and information collected and make the results available to Member States in a format, and in accordance with, conditions agreed to by Member States and approved by the Ministerial Council;
- (k) Assisting Member States to develop Fisheries Sector education and public awareness programmes;
- (l) Highlighting, at regional and international fora, the resources and technical assistance required by the regional Fisheries Sector to combat climate change, ocean acidification and Climate Hazards and build resilience;
- (m) Providing guidance and advice to stakeholders on addressing the impacts of climate change, ocean acidification and Climate Hazards as they affect the Fisheries Sector;
- (n) Collaborate with other regional agencies working in the areas of climate change, ocean acidification, disaster management, public education and awareness, and research, in support of the above actions;
- (o) Regularly reporting on notifications received from Member States of the actions taken pursuant to the provisions set out in Article 6.

ARTICLE 8

Coordination

- 8.1 The CRFM shall be responsible for coordinating activities to support the implementation of the Protocol.
- 8.2 The CRFM shall coordinate its work with national, regional and international organisations active in the region in climate change adaptation and disaster risk management, including, but not limited to, the Caribbean Disaster and Emergency Management Agency (CDEMA), the Caribbean Community Climate Change Centre (CCCCC); Government Ministries, National Focal Point organisations, National Inter-sectoral Coordinating Mechanisms (NICs), the Caribbean Network of Fisherfolk Organisation (CNFO), private sector and community based organisations, and donors and any other agencies that may be determined from time to time by the Ministerial Council.

ARTICLE 9

Monitoring and Evaluation

- 9.1 The Member States will meet regularly, using the CRFM governance mechanisms to review the Protocol and its implementation.
- 9.2 The objective of the review process will be to ensure that the Protocol and its guidance to Member States and stakeholders continues to enable and support stakeholders in their respective, local, national and regional efforts to enhance resilience and reduce risks arising from climate change, ocean acidification and Climate Hazard.
- 9.3 The review of the Protocol will, as far as possible, be undertaken in coordination with the review cycles of relevant CARICOM policies and strategies on climate change adaptation and disaster risk management to secure guidance and feedback, and enhance coordination in support of climate change adaptation and disaster risk management in the Fishers Sector.
- 9.4 Where appropriate, the updating of the Protocol will take place every five years,

ARTICLE 10
Compliance with this Protocol³

- 10.1 Each Member State shall take appropriate measures within its competence, including the adoption of laws and regulations, administrative actions and enforcement measures, to ensure the implementation of this Protocol.
- 10.2 Each Member State shall notify all other Member States through the CRFM Secretariat of the measures it takes pursuant to the applicable measures set out in Article 5.
- 10.3 Each Member State shall draw to the attention of all other Member States, any activity which in its opinion affects the implementation of the objectives and principles of this Protocol.
- 10.4 The implementation of this Protocol is voluntary.

³ *The Eighth Special Meeting of the CRFM Ministerial Council held in Barbados, on 11 October 2018, approved the Draft Protocol on Climate Change Adaptation and Disaster Risk Management in Fisheries and Aquaculture under the Caribbean Community Common Fisheries Policy (CCCFP).*

Appendix 1: Glossary of Terms

- a) **“Climate Change”** refers to any change in climate over time, whether due to natural variability or as a result of human activity.
- b) **“Climate variability”** refers to variations in the mean state and other statistics of climate variables, such as temperature and rainfall, either above or below average, beyond that of individual weather events. Variability may be due to natural internal processes within the climate system, or to variations in natural or anthropogenic external forcing.
- c) **“Climate change adaptation”** means the process by which the adverse (and beneficial) effects of climate change are considered, evaluated, and, appropriately addressed, to prevent or minimise the damage (they can cause or taking advantage of opportunities that may arise.
- d) **“Comprehensive Disaster Management”** means the management of all hazards through all phases of the disaster management cycle – prevention, mitigation, preparedness, response, recovery and rehabilitation – by all stakeholders– public and private sectors, all segments of civil society and the general population in hazard prone areas.
- e) **“Disaster”** means a serious disruption of the functioning of a community or a society involving widespread human, material, economic or environmental losses and impacts, which exceeds the ability of the affected community or society to cope using its own resources
- f) **“Disaster Risk Management”** means the systematic process of using administrative directives, Organisations, and operational skills and capacities to implement strategies, policies and improve coping capacities to lessen the adverse impacts of hazards and the possibility of disaster.
- g) **“Disaster Risk Reduction”** means the practice of reducing disaster risks through systematic efforts to analyse and manage the causal factors of disasters and hazards, to lessen vulnerability of people and property through wise management of land and the environment and improve preparedness for adverse events.
- h) **“Governance System”** means the organisations or institutions that set and implement policies enforce legislation or perform functions which affect fisheries stakeholders’ livelihoods and the fisheries/aquaculture sector and value chain (the **Structures**) and the laws (*local, regional, international and local instruments*) and policies, that define the way things are done, how fishers interact with each other or how structures interact and operate (the *Processes*).
- i) **“Hazard”** means a dangerous phenomenon, substance, human activity or condition that may cause loss of life, injury or other health impacts, property damage, loss of livelihoods and services, social and economic disruption, or environmental damage.
- j) **“Ocean Acidification”** refers to a reduction in the pH of the ocean over time, caused primarily by increased uptake of the greenhouse, gas carbon dioxide, from the atmosphere. The ocean absorbs about 30 percent of the carbon dioxide that is released in the atmosphere, and as levels of atmospheric carbon dioxide increase, so do the levels in the ocean causing the seawater to become more acidic.
- k) **Livelihoods Assets”** means *Natural assets* (fisheries resources, ecosystem services, supporting ecosystem), *Human assets* (skills, knowledge, health, ability to work), *Social Assets* (relationships, networks, community), *Physical Assets* (boats, gear equipment, infrastructure) and *Financial Assets* (income, saving, credit, debt, Insurance).



Caribbean Regional Fisheries Mechanism



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