

CASTRIES (ST. LUCIA) DECLARATION ON ILLEGAL, UNREPORTED AND UNREGULATED FISHING

We the Member States of the Caribbean Regional Fisheries Mechanism,

ACCEPTING that illegal, unreported and unregulated (IUU) fishing is any fishing which undermines or disregards national, regional or international fisheries conservation and management arrangements and measures;

RECOGNISING the important role of fisheries in the CARICOM region and its significant contribution to food and nutrition security, employment, economic and the social well-being of our people;

CONSCIOUS of the potential for increased benefits from sustainable fisheries and aquaculture development;

NOTING that high demand for fish, the economic benefits derived from IUU fishing and the inadequate monitoring, control and surveillance (MCS) systems in the region have made Caribbean States particularly vulnerable to IUU fishing;

COGNISANT that the contribution of fisheries to our social and economic development and food security is being threatened by IUU fishing occurring nationally, regionally and globally;

AWARE that IUU fishing is practised by both local and foreign vessels;

RECONISING that national, regional and global cooperation is necessary to effectively prevent, deter and eliminate IUU fishing;

MINDFUL of the principles and rules of international law as reflected in the United Nations Convention on the Law of the Sea of 10 December 1982 (the 1982 UN Convention); the United Nations Agreement for the Implementation of the Provisions of the UN Convention on the Law of the Sea of 10 December 1982 Relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks of 1995 (UN Fish Stocks Agreement); and the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas of 1993 (FAO Compliance Agreement);

RECALLING relevant United Nations General Assembly Resolutions on Sustainable Fisheries, including resolution A/Res/64/72 of 4 December 2009;

REAFFIRMING our commitment to the principles and standards contained in the FAO Code of Conduct for Responsible Fisheries (FAO Code of Conduct);

RECALLING ALSO the endorsement by the 120th Session of the FAO Council on 2 June 2001 of the FAO International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (IPOA-IUU);

ACKNOWLEDGING the objectives of the Revised Treaty of Chaguaramas and more specifically Articles 58 and 60 which enjoin Member States to co-operate in all areas necessary to foster regional development and integration regarding Natural Resource Management and Fisheries Management and Development respectively;

MINDFUL ALSO of the establishment of the Caribbean Regional Fisheries Mechanism (CRFM) with its main objectives of promoting efficient management and sustainable development of marine and other aquatic resources and promoting and establishing cooperative management arrangements of shared and highly migratory resources in conformity with the economic objectives of the Member States;

CONCERNED by the depletion of fisheries resources, the degradation of aquatic habitats and the threats to sustainable fisheries and aquaculture development worldwide;

GRAVELY CONCERNED by the prevalence of IUU fishing and its harmful consequences on the sustainability of both large-scale and small-scale artisanal fisheries, on the conservation of marine living resources and marine diversity as a whole and on the economies of Member States and on efforts to use and manage fisheries and associated ecosystems in a sustainable manner;

NOTING the responsibility of flag States under international law to effectively control and manage vessels flying their flags, as well as the responsibilities of port and coastal States in controlling IUU fishing in waters under their jurisdictions and on the High Seas;

AWARE that effective fisheries MCS is essential to combat IUU fishing and that integrated MCS, including vessel monitoring systems (VMS), as well as a regional register of fishing vessels authorised to operate within the CARICOM Region, are key tools in this endeavour;

RECOGNISING the need to mobilise resources and seek international cooperation for the development of harmonized VMS so as to implement the relevant provisions of the Code of Conduct for Responsible Fisheries and the International Plan of Action to Prevent, Deter and Eliminate IUU fishing and protect the livelihood of fishermen and fishing communities in the Caribbean;

RECOGNISING ALSO the unique transboundary character of living marine resources and ecosystems and, therefore, the need to co-operate in the management of shared resources and in promoting harmonized approaches to prevent, deter and eliminate IUU fishing in the Region;

COMMITTED to capacity building at national and regional levels for sustainable fisheries development;

DESIROUS of achieving more effective implementation of various international instruments for sustainable fisheries development adopted or enacted in the past decades;

DESIROUS ALSO of strengthening collaboration in the fight to prevent, deter and eliminate IUU fishing, to safeguard the benefits from the optimum utilization of fisheries resources for both present and future generations;

HEREBY DECLARE THAT:

1. We are determined to work together and with other stakeholders, including regional and multilateral partners to identify, prevent, deter and eliminate IUU fishing within the Caribbean and globally;
2. We are committed to concentrating and intensifying our efforts to effectively implement relevant international instruments for the sustainable use, conservation and management of marine living resources; and
3. We reaffirm the need to implement the principles and rules of international law herein mentioned to protect, conserve, manage and use the fisheries and other living marine resources and their ecosystems in a sustainable manner.
4. WE RESOLVE AND RENEW OUR EFFORTS TO:
 - (i) establish a comprehensive and integrated approach to prevent, deter and eliminate IUU fishing by emphasising the primary responsibility of the flag state in accordance with international law, and including port State, coastal State, and market related measures, as well as measures to ensure that nationals do not support or engage in IUU fishing, all of which shall address the economic, social and environmental impacts of IUU fishing;
 - (ii) encourage the phased implementation of measures to prevent, deter and eliminate IUU fishing through the development of national and regional plans of actions in accordance with the IPOA-IUU;
 - (iii) adopt conservation measures consistent with the long-term sustainable use of fish stocks and the protection of the environment in accordance with the 1982 UN Convention and other relevant regional and international agreements and documents;
 - (iv) adopt, review and revise as appropriate, relevant legislation and regulations regarding compliance with fisheries management measures and to provide sanctions of sufficient gravity, so as to deprive offenders of the benefits accruing from their illegal activities and to deter further IUU fishing;
 - (v) identify, reduce and ultimately eliminate the economic incentives derived from IUU fishing at the national, regional and global levels;
 - (vi) implement MCS schemes with a view to increasing the cost effectiveness of surveillance activities, such as encouraging the fishers and other stakeholders to report any suspected IUU fishing activities they observe;

- (vii) adopt internationally agreed market-related measures in accordance with international law including principles, rights and obligations established in WTO agreements, as called for in the IPOA-IUU;
- (viii) develop a comprehensive database of fishing vessels in good standing and vessels involved in IUU related activities, subject to confidentiality requirements in accordance with national laws and in conformity with Article VI.1 of the FAO Compliance Agreement;
- (ix) seek technical assistance and training to promote the development of fisheries management regimes at the local, national and regional levels, to prevent, deter and eliminate IUU fishing;
- (x) ensure the participation and coordination of all its Member States, including stakeholders such as industry, fishing communities and non-governmental organizations, either directly or indirectly through the CRFM and other appropriate organisations, in combating IUU fishing; and
- (xi) ensure that plans of action are implemented in a transparent manner in accordance with Article 6.13 of the FAO Code of Conduct.

5. WE CALL UPON:

- (i) Member States to cooperate in the implementation of harmonized minimum terms and conditions of access to monitor, control and conduct surveillance of fisheries resources;
- (ii) Member States to maintain records of fishing vessels entitled to fly their flag and authorized to be used for fishing in waters under their jurisdiction and on the high seas.
- (iii) The international community to cooperate with the Member States and provide financial and technical support where required to transfer technology and build capacity, as well as, facilitate the development and implementation of policies and measures to prevent, deter and eliminate IUU fishing within the Region.

6. WE AGREE ON THE NEED:

- (i) For a holistic and integrated approach to dealing with IUU fishing;
- (ii) For flag, port, and coastal states and where appropriate, the CRFM , to effectively monitor and regulate transshipment of fish and fish products in order to combat IUU fishing activities and to prevent laundering of illegal catches;

- (iii) For Member States in collaboration with the CRFM Secretariat, as well as NGOs and members of the fishing industry, to exchange information on suspected IUU fishing, if possible on a real time basis, and by actively participating in the International MCS network;
- (iv) To strengthen coastal and port state measures for fishing vessels consistent with international law in order to prevent, deter and eliminate IUU fishing in the Region and on the high seas;
- (v) For further international action to eliminate IUU fishing by vessels operating in open registries, flying “flags of convenience”, as well as to require that a “genuine link” be established between states and fishing vessels flying their flags in the Region and on the high seas;
- (vi) To strengthen the CRFM as a regional fisheries body in order to more effectively coordinate the actions of its Member States and disseminate information on preventing, deterring and eliminating IUU fishing;
- (vii) To implement vessel marking requirements in accordance with the FAO Standard Specification and Guidelines for the Marking and Identification of Fishing Vessels and any applicable CRFM requirements;
- (viii) To establish a Working Group to be convened through the CRFM to regularly consult on methodologies and approaches that will harmonise and enhance the reliability of data collection in relation to IUU fishing; and
- (ix) For Member States, to the extent permitted by their national laws and regulations, to exchange among themselves and provide the CRFM Secretariat with relevant information including but not limited to IUU fishing activities.

7. WE URGE ALL MEMBER STATES:

- (i) To implement relevant provisions of the FAO Code of Conduct on Responsible Fishing, and the Plan of Implementation of the World Summit on Sustainable Development (Johannesburg Plan of Implementation) as it relates to achieving sustainable fisheries;
- (ii) To supply information on fishing vessels flying their flag to the CRFM Secretariat as agreed by the Ministerial Council;
- (iii) That have not yet done so to become parties to the 1982 UN Convention, the FAO Compliance Agreement, the UN Fish Stocks Agreement, and other relevant international agreements that will provide support in the fight against IUU fishing;

- (iv) That are parties to the FAO Compliance Agreement to fulfil their obligations to submit to FAO, for inclusion in the High Seas Vessel Authorization Record, data on vessels entitled to fly their flags that are authorized to be used for fishing on high seas, and those that are not yet parties to the FAO Compliance Agreement to submit data on a voluntary basis; and
- (v) To ensure that they exercise full control over fishing vessels flying their flag, in accordance with international law, in order to combat IUU fishing.

2nd Special Meeting
CRFM Ministerial Council
Castries, St. Lucia
28 July 2010