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Number 2017 / 03**

FINAL TECHNICAL REPORT

Technical support to promote the adoption of comprehensive model legislation, protocols, guidelines for health and food safety related to fisheries and aquaculture in CARIFORUM States



**CRFM Secretariat
2017**



CARIFORUM

CRFM Technical & Advisory Document - Number 2017 / 03

Final Technical Report: Technical support to promote the adoption of comprehensive model legislation, protocols, guidelines for health and food safety related to fisheries and aquaculture in CARIFORUM States

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Under contract to the Caribbean Regional Fisheries Mechanism (CRFM) Secretariat through the 10th EDF funded Sanitary and Phytosanitary (SPS) Measures Project

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CRFM Secretariat,
Belize

CRFM TECHNICAL & ADVISORY DOCUMENT – Number 2017 / 03

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FOREWORD

This document was produced under the Sanitary and Phytosanitary Measures programme, one component of the 10th EDF Programme titled “*Support to the Caribbean Forum of ACP States in the Implementation of Commitments Undertaken Under the Economic Partnership Agreement (EPA): Sanitary and Phytosanitary Measures (SPS)*”, implemented by the Inter-American Institute for Cooperation on Agriculture (IICA), with the fisheries sub-component being executed by the Caribbean Regional Fisheries Mechanism (CRFM) Secretariat. The project facilitated CARIFORUM States in gaining and improving international market access and maintaining and expanding the trade of fish and fish products locally, regionally and internationally by: (a) building equivalence with EU and other export market Sanitary and Phytosanitary (SPS) measures and (b) helping CARIFORUM states to better develop their own regionally harmonized SPS measures and institutional capability.

Under the fisheries sub-component, two specific actions were undertaken in 2015 and 2016 to develop CARICOM model legislation addressing fisheries SPS matters. These activities were closely connected to parallel actions under the SPS Programme to develop CARICOM model legislation covering food safety and animal and plant health. The instruments of model legislation for fisheries and aquaculture were reviewed and endorsed by stakeholders through two regional validation workshops and follow-up processes during August - October 2015 and December 2016 - January 2017 and subsequently passed to CRFM to facilitate review and endorsement by COTED and other CARICOM bodies.

This publication is one of several related CRFM publications documenting the various consultancy reports and outputs associated with development of the model legislation for the fisheries and aquaculture sub-sectors. The list of related CRFM publications follows:

- CRFM, 2015. Final Technical Report – Technical support to develop model legislation, protocols, guidelines for health and food safety related to fisheries and aquaculture in CARIFORUM States. *CRFM Technical & Advisory Document*, No. 2015/ 07. 368p.
- CRFM, 2015. Report of Regional Validation Workshop for the Fisheries Component of the 10th EDF funded Sanitary and Phytosanitary Measures Project. *CRFM Technical & Advisory Document* No. 2015 /08. 111p.
- CRFM, 2017. Final Technical Report: Technical support to promote the adoption of comprehensive model legislation, protocols, guidelines for health and food safety related to fisheries and aquaculture in CARIFORUM States. *CRFM Technical & Advisory Document*, No. 2017 / 03.
- CRFM, 2017. Model Legislation for Health and Food Safety in fisheries and aquaculture. Annex C of Final Technical Report: Technical support to promote the adoption of comprehensive model legislation, protocols, guidelines for health and food safety related to fisheries and aquaculture in CARIFORUM States. *CRFM Special Publication*, No. 19. 143p.
- CRFM, 2017. National Consultation Strategy and Package. Annex D of Final Technical Report: Technical support to promote the adoption of comprehensive model legislation, protocols, guidelines for health and food safety related to fisheries and aquaculture in CARIFORUM States. *CRFM Special Publication*, No. 20. 39p.
- CRFM, 2017. Regional Consultation Strategy and Package. Annex E of Final Technical Report: Technical support to promote the adoption of comprehensive model legislation, protocols, guidelines for health and food safety related to fisheries and aquaculture in CARIFORUM States. *CRFM Special Publication*, No. 21. 36p.

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LIST OF ACRONYMS

ACP	African, Caribbean and Pacific states
AHFCP	Agricultural Health and Food Control Programme
AHFS	Agricultural Health and Food Safety
BARNUFO	Barbados National Union of Fisherfolk Organization
BNSI	Barbados National Standards Institute
CAHFSA	Caribbean Agricultural Health and Food Safety Agency
CARICOM	Caribbean Community
CARIFORUM	Caribbean Forum of ACP States
CCCFP	Caribbean Community Common Fisheries Policy
CEO	Chief Executive Officer
CERMES	Centre for Resource Management and Environmental Studies
CNFO	Caribbean Network of Fisherfolk Organizations
CNSMF	Comite Nacional para la Aplicacion de Medidas Sanitarias y Fitosanitarias (National Committee for the Application of Sanitary and Phytosanitary Measures)
CODOPESCA	Consejo Dominicano de Pesca y Acuicultura (Dominican Council of Fisheries and Aquaculture)
COTED	Council for Trade and Economic Development
CRFM	Caribbean Regional Fisheries Mechanism
CROSQ	Caribbean Regional Organisation for Standards and Quality
CVO	Chief Veterinary Officer
DPS	Deputy Permanent Secretary
EDF	European Development Fund
EPA	Economic Partnership Agreement
EU	European Union
FAO	Food Agriculture Organization of the United Nations
GDP	Gross Domestic Product
GOB	Government of Barbados
HACCP	Hazard Analysis and Critical Control Points
HFS	Health and Food Safety
IICA	Inter-American Institute for Cooperation on Agriculture
IUU	Illegal, Unreported and Unregulated fishing
LDCs	Lesser Developed Countries
MAFFW	Ministry of Agriculture, Food, Fisheries and Water Resource Management
NGO	Non Governmental Organization
OECS	Organisation of Eastern Caribbean States
OIE	World Organisation for Animal Health
SDGs	Sustainable Development Goals
SOPs	Standard Operating Procedures

SPS	Sanitary and Phyto-Sanitary (SPS)
SVO	Senior Veterinary Officer
ToR	Terms of Reference
UK	United Kingdom
USA	United States of America
UWI	University of the West Indies
WTO	World Trade Organization

1. INTRODUCTION

The project **Technical support to promote the adoption of comprehensive model legislation, protocols, guidelines for health and food safety related to fisheries and aquaculture in CARIFORUM States** took place under the 10th EDF Programme “Support to the Forum of Caribbean States in the implementation of the commitments undertaken under the Economic Partnership Agreement (EPA): Sanitary and Phytosanitary (SPS) Measures.”

The assignment started on 29 August 2016 and was due originally to run until 13 January 2017, but was subsequently extended to 25 March 2017.

This report is the Final Technical Report, as foreseen in part 6.0 of the Terms of Reference, and summarizes the Consultant’s activities and findings under the assignment and provides a summary of the recommendations provided in the technical work.

2. OBJECTIVES, SCOPE AND EXPECTED RESULTS

The objectives, scope and expected results of the assignment, as set out in the Terms of Reference, were as follows. The **objective** of this assignment was:

To facilitate continued development of a model legal and regulatory framework for agricultural health and food safety for the fisheries sector, particularly focusing on development of an expanded Model Fisheries SPS Act, expanded Model Fisheries SPS Regulations and instructions/ guidelines and explanatory notes for national drafters consistent with international best practice principles, guidelines and standards.

The **scope of work** under the assignment was set out as follows:

- Document review
- Development of zero, revised and final drafts of expanded model legislation and drafting instructions / guidelines and explanatory notes
- Support of a national-level consultation on the expanded Model Fisheries SPS legal and regulatory framework and all the associated instruments and national level promulgation of the instruments validated under previous related consultancy
- Convening of a regional consultation
- Preparation of an Impact Assessment Tool
- Preparation of Communication and visibility products

The **expected results** of the assignment were set out as follows: Development of a comprehensive Model Fisheries SPS Act for the fisheries and aquaculture sector.

The assignment’s Terms of Reference are reproduced in **Annex A**.

3. ACTIVITIES UNDERTAKEN

Mobilization and inception activities were carried out as foreseen in the Terms of Reference. This included an online Briefing Meeting between the Consultant, the CRFM Secretariat and IICA during which certain aspects of the technical work and preliminary organizational steps for the regional

workshop were discussed. These activities and the conclusions of discussions were described fully in the Inception Report, reproduced in **Annex B (1)**.

The Consultant then commenced work on the technical packages (model legislation, regional and national consultation packages, communication tools and impact assessment tool). This ran in to some difficulty (see section 4 of this Report) due to technical / drafting issues that had not been anticipated at the commencement of the project which were difficult to resolve in the short time-frame initially foreseen for the project. The documents anticipated for the regional workshop were not delivered in sufficient time for participants to undertake a detailed review prior to the workshop.

Draft legislation was produced for the regional workshop:

- Model Fish Inspection Regulations (dealing with food safety aspects)
- Model Aquatic Animal Health Regulations (dealing with animal health aspects).

An explanation was provided in the Interim Report (reproduced in **Annex B (2)**) as to why the Consultant considered it unnecessary to produce a model Bill (see also section 4).

The Consultant organized a regional workshop at the Accra Beach Hotel, Rockley, Barbados on 14-15 December 2016, with the support of the CRFM Secretariat. The objectives of the Workshop, as originally foreseen, were—

- a. to review the outputs of the present consultancy and provide inputs to inform finalization of the documents;
- b. to endorse the final documents (subject to further review) to facilitate CRFM approval; and
- c. to prepare for subsequent recommendations to COTED and other CARICOM and/or CARIFORUM bodies.

A total of 57 participants, including the consultant team, attended with representatives from 13 member countries and from the CRFM Secretariat, IICA, CARICOM Secretariat, CAHFSA, CROSQ and the EU Delegation.

The Consultant organized all logistical arrangements, including international flights and in-country transfers; accommodation; management of the conference venue and facilities, including catering; interpretation and reporting services, etc.

A report of the workshop was produced, and is presented in **Annex B (3)**. Selected materials from the Workshop are reproduced in **Annex H**.

During the workshop, it emerged that the CRFM Secretariat was not satisfied with the change in approach proposed by the Consultant. The Secretariat preferred delivery of the legislation via a Bill, and requested that this was provided. Since this would require some reformulation of the legislation, it was noted that it was no longer possible to validate the instruments at the workshop and a post-workshop validation process was agreed. This also required all other documents to be reformulated, since these were all based on the draft legislation.

The Consultant redrafted the legislation, taking account of the Secretariat's directions and feedback from the workshop, so as to provide—

- a. Model Aquatic Animals and Aquatic Animal Products Hygiene Bill
- b. Model Fish Hygiene Licensing and Inspection Regulations
- c. Model Aquatic Animal Health Regulations
- d. Combined Explanatory Notes for the three instruments, with annotations.

These documents are set out in **Annex C**.

The revised model legislation was distributed to stakeholders (workshop participants and other colleagues) following submission to IICA and the CRFM Secretariat on 6 January (draft Bill) and 16 January (draft Regulations). Comments were received from a number of stakeholders (mainly Member countries) and the documents were revised and re-submitted for final review on 9 February. Only minor subsequent comments were received.

The other project documents were also prepared, and provided as follows:

- a. National Consultation Package (including strategic guidance and template documents for: a national consultation on the model legislation, preparation of drafting instructions and preparation of corresponding Cabinet Submissions) – these documents are set out in **Annex D**.
- b. Regional Consultative Strategy (including strategic guidance and recommendations on developing regional cooperative mechanisms and supporting the progress of the model legislation through CARICOM and at the national level) – these documents are set out in **Annex E**.
- c. A communications package, comprising factsheets on the model legislation (one for food safety and one for animal health), and the project's press releases – these documents are set out in **Annex F**. In addition, the Consultant arranged for the live streaming of the workshop via the CRFM Youtube channel.
- d. An impact assessment tool, comprising a stakeholder self-assessment questionnaire to determine current attitudes towards SPS/AHFS matters in fisheries (project evaluation) and corresponding self-assessment questionnaire to determine progress in dealing with SPS matters and changing attitudes over time – these documents are set out in **Annex G**.

4. TECHNICAL CHALLENGES

During the project, the Consultant expressed doubt as to whether it was necessary or prudent to create primary legislation relating to fisheries SPS matters. This change in approach emerged following analysis of the legal instruments that now form the framework for the fisheries SPS legal instruments, namely the Model Bills on Food Safety, Plant Health and Animal Health developed under the 10th EDF programme (that were not in existence at the time of the original phase of the project to draft model fisheries legislation).

Primarily, the Consultant considered that the Model CARICOM Bills on Food Safety and Animal Health provided a complete code at the primary legislation level for SPS matters in fisheries. Both Bills make it clear that they apply in their entirety to fish and fish products. In the Food Safety Bill – although no food types are specifically mentioned – the definition of food (s. 2) clearly includes fisheries; but in any case, s. 3 on scope confirms that the Bill applies to “all food” notwithstanding other legislation that may exist on “fish and aquaculture products, meat or other specific food products”. As regards the Animal Health Bill, “fish” and all other “aquatic” animals are included in the definition of “animal” (s. 2).

Moreover, the Consultant considered that it may create risks to the progress of the other model legislation if an attempt to introduce a fourth Bill were made, and also risk fragmenting regional policy. On the other hand, the Consultant recognized that all model legislation is “modular” to some extent and whether matters should be included in primary or secondary legislation is subjective. In the CARICOM model legislation context, it is something that would be determined at the national level. From our own analysis, for example, there were matters relating to fisheries that could have been included possibly in the Food Safety Bill (particularly relating to enforcement in marine waters) and particularly in the Animal Health

Bill (relating to obligations of aquaculture establishments, management of aquaculture animal health outbreaks and management and enforcement in marine waters).

It was acknowledged that the Consultant arrived at the Regional Workshop without the full set of documents expected by the CRFM, and with insufficient advance delivery for participants. In fact, the practical reality was that there was insufficient time to manage the work. It was acknowledged by all parties of course that timing was a challenge on this project, which was originally due to start much earlier in the year and was originally planned for 7.5 months. However, the project was finally established for 4.5 months, with the contract being signed at the end of August and the kick-off meeting taking place on 9 September. Because of the Christmas break, this left only 3 months in which to prepare the documents and conduct the workshop. In view of the time constraints, the Consultant did make a request to move the workshop to January 2017, but this was not accepted because of Project administration deadlines.

As explained during the project, the Consultant would expect to plan at least 3 months just to get the first drafts of legislation, which would include at that point a discussion of the approach and needs. (In fact, in the original expression of interest, the Consultant built in 4 months for this period).

5. RECOMMENDATIONS AND NEXT STEPS

Despite the technical and delivery challenges, the Consultant considers that an extensive and comprehensive set of documents has been provided, matched to the various agreed needs of the Client.

Specific recommendations for the CRFM Secretariat are set out in the Regional Consultative Strategy. These are focused on enhancing regional cooperation on SPS (and other trade) matters, in particular with CAHFSA, and short and medium term steps to assist in the adoption and then implementation of the model legislation. Reference is made to how the various tools produced in this assignment might be used.

In terms of immediate next steps, it is proposed that further consideration is given, in consultation with the CAHFSA Secretariat and the CARICOM Secretariat, to how the overall package of SPS legislation should be presented and coordinated. This may imply a need to revisit some aspects of the model Bills on food safety, animal health and plant health that are under consideration with CARICOM to ensure a coherent approach is adopted to all the legislation.

ANNEX A: TERMS OF REFERENCE

TERMS OF REFERENCE

CONTRACTOR SERVICES

Technical support to promote adoption of expanded model legislation, protocols, and guidelines for health and food safety related to fisheries and aquaculture in CARIFORUM States, and to support development of the fisheries component of national and regional SPS coordinating mechanisms

1.0 INTRODUCTION

The Forum of the Caribbean Group of African, Caribbean and Pacific (ACP) States (CARIFORUM) is the body that comprises Caribbean ACP States for the purpose of promoting and coordinating policy dialogue, cooperation and regional integration, mainly within the framework of the Cotonou Agreement between the ACP and the European Union, and also in the CARIFORUM-European community Economic Partnership Agreement (EPA). The region occupies a total area of 510,713 km² and comprises 4 large island states, 8 small island states and 3 mainland states, all with a total population of 28 million (2014); 89% lives in Dominican Republic, Haiti, Jamaica, and Trinidad and Tobago. The countries are positioned around the Caribbean Sea with USA to the north, the Atlantic Ocean to the east, Central and South America to the west and south, respectively. The countries are predominantly small economies, depending mostly on agriculture and tourism, and are susceptible to natural disasters. Although there are many similarities in the grouping around culture and history, their geography may be very different and the present-day social and economic indicators such as population, per capita income, life expectancy, etc., vary enormously so much so that a distinction is drawn in membership identifying less developed countries (LDCs) for special treatment. The combined GDP of the CARIFORUM region in 2013 was approximately US\$136.54 billion, with the Dominican Republic accounting for 45% of the total GDP¹.

The fisheries sector is important for CARIFORUM States as it provides employment, contributes to food security and export earnings. The marine capture sub-sector is characterized as largely artisanal/small-scale multi-gear fishery, where fishers utilize small boats and limited gear technology (fish traps, cast nets, and hook and line) to catch spiny lobster (Jamaica, The Bahamas), conch (Jamaica, The Bahamas, Belize, Dominican Republic), shrimp (Guyana, Suriname, Trinidad and Tobago), and finfish (all countries). The aquaculture sub-sector in the region varies from experimental and small-scale for oyster (Jamaica and Belize) and sea moss (Antigua and Barbuda, Barbados, Dominica and Saint Lucia) to large scale shrimp and tilapia production (Jamaica, Belize, Dominican Republic). Direct employment in marine fisheries and aquaculture is an estimated 121,218 persons, with suppliers of goods and services and other indirect service 354,712 persons². Total marine fish production is an estimated 181,653 MT (2012). Fish harvested are sold mainly on the domestic market while industrial catches are processed (limited to freezing and packaging) and exported. The total earnings from marine capture fisheries and aquaculture export was over USD 191 million in 2012³.

Regional cooperation in managing marine fisheries and aquaculture resources in CARIFORUM countries is promoted through CARICOM/CRFM. In February 2002, CARICOM established the Caribbean Regional Fisheries Mechanism (CRFM) to promote and facilitate the responsible utilization of the Region's fisheries and other aquatic resources for the economic and social benefits of the current and future population of the region⁴. All CARIFORUM States, with the exception of the Dominican Republic

¹ World Bank. www.worldbank.org

² Masters, J. 2014. CRFM Statistics and Information Report 2012 and <http://www.codopesca.gob.do>

³ Masters J. 2014 and Production pesquera para el period 2008-2011, por grupos explotados, en MT (<http://www.codopesca.gob.do/>)

⁴ CRFM, 2002. Agreement establishing the Caribbean Regional Fisheries Mechanism.

are members of the CRFM. However, in October 2008, the CRFM and the Government of Dominican Republic signed a memorandum of Understanding to facilitate cooperation to ensure the sustainable development, utilization, conservation and management of the fish stocks and associated ecosystems occurring within the Caribbean Sea and adjacent areas, through, *inter alia*, the effective and efficient development and implementation of programme, projects and activities in these areas. The CRFM has a close, on-going relationship with the Dominican Republic in fisheries.

The objectives of the CRFM are: (a) the efficient management and sustainable development of marine and other aquatic resources within the jurisdiction of Member States; (b) the promotion and establishment of cooperative arrangements among interest States for the efficient management of shared, straddling or highly migratory marine and other aquatic resources; and (c) the provision of technical advisory and consultative services to fisheries divisions of Member States in the development, management and conservation of their marine and other aquatic resources.

The recently approved Caribbean Community Common Fisheries Policy⁵ includes several provisions addressing Sanitary and Phytosanitary (SPS) issues in fisheries, including 3 of the 9 objectives (Article 4.3(b) (g) and (i)), and Article 18 on Marketing and Trade. In order to address SPS issues in marine fisheries and aquaculture, a plan is outlined in the CRFM's Strategic Plan⁶ and Biennial work plan⁷, which represents a consensus of Member States priorities, under Strategic Objective C: Sustainable Management and Use of Fisheries Resources. The overall aim of the SPS plan is to reduce post-harvest loss, improve the quality of fish and fisheries products, and improve infrastructure for marketing and trade of fish and fisheries products to meet domestic needs and international standards.

This Consultancy seeks to facilitate continued development of a model legal and regulatory framework for agricultural health and food safety for the fisheries and aquaculture sector, particularly focusing on development of an expanded Model Fisheries SPS Act, expanded Model Fisheries SPS Regulations, and instructions/guidelines and explanatory notes for national drafters pursuant to international best practice, principles and standards. In addition, this assignment will also provide supporting materials to facilitate national and regional consultation and feedback on the expanded model framework and instruments proposed, information/knowledge products for building public awareness and support for SPS programme activities, and an impact assessment tool.

The SPS Project Management Team (Manager and International AHFS Specialist) will provide general oversight for the action. The CRFM is responsible for providing technical supervision, leadership and coordination to execute the activities related to this action.

2.0 THE CONTRACTOR: Global Centre for International Law

3.0 OBJECTIVE

To facilitate continued development of a model legal and regulatory framework for agricultural health and food safety for the fisheries sector, particularly focusing on development of an expanded Model Fisheries SPS Act, expanded Model Fisheries SPS Regulations, and instructions/guidelines and explanatory notes for national drafters consistent with international best practice principles, guidelines and standards.

⁵ CRFM, 2011. Agreement Establishing the Caribbean Community Common Fisheries Policy (www.crfm.int). The 51st Special COTED meeting (October 2014) confirmed that the CCCFP is an approved policy of the Community and should be applied as far as possible.

⁶ CRFM, 2013. 2nd Draft CRFM Strategic Plan (2013-2021). CRFM Administrative Report. 39pp.

⁷ CRFM, 2014. CRFM Biennial Work Plan and Budget, 1 April 2014 to 31 March 2016. CRFM Administrative Report. 24pp.

4.0 SCOPE OF WORK

The Contractor will work under the general direction of the SPS Project Management Team and the Deputy Executive Director of the CRFM to continue technical support to national and regional SPS systems for establishing a fully comprehensive legislative framework for Agricultural Health and Food Safety (AHFS) in the fisheries sector.

The scope of work covers all activities necessary to accomplish the Expected Results stated. The main tasks/activities are as follows:

- I. Attend an initial virtual briefing meeting with the Project Management Team and the CRFM Secretariat to discuss the objectives, activities, approach, expected outputs and any other issues related to the execution of the assignment that require clarification;
- II. Within five (5) days of the briefing meeting, the CONTRACTOR will prepare a report of the briefing meeting, and a work plan clearly identifying an outline and timelines for the execution of the actions related to establishing a comprehensive legislative framework for AHFS.
- III. The main actions in this assignment will build on products developed and validated under previous related fisheries activities for the SPS programme. Such as the Model Export Act and its associated Model Regulations, protocols, guidelines, and a Caribbean Fisheries Regional SPS Framework “Green Paper”. It will support work towards establishing a comprehensive legislative framework for AHFS through:
 - a) **Document review**

The Contractor will conduct a review of the report and products of the previous related consultancy to develop the Model Export Act, Associated Model Regulations, Protocols, and Guidelines, and a Caribbean Fisheries Regional SPS Framework “Green Paper”.
 - b) **Development of zero, revised and final drafts of expanded model legislation (Expanded Model Fisheries SPS Act and Expanded Model Regulations) and Drafting Instructions/Guidelines and Explanatory Notes**

The Contractor will develop expanded model fisheries SPS legislation, including associated regulations and protocols. The new proposed expanded model framework and legislation should address new developments in SPS to be applicable throughout CARIFORUM states, and include the CCCFP and related initiatives such as CROSQ’s Draft CARIFORUM Regional Policy for quality infrastructure. In addition, the Contractor should prepare drafting instructions/guidelines and explanatory notes, for use by national legal drafters. The Contractor will also facilitate and coordinate initial feedback on the zero draft from the national and regional stakeholders, prior to preparation of revised drafts for presentation at the regional consultation.
 - c) **Support a national-level consultation on the expanded Model Fisheries SPS Legal and Regulatory Framework and all the associated instruments and national level promulgation of the instruments validated under previous related consultancy**

In order to provide support for national-level consultation and promulgation activities, the Contractor, in consultation with the CRM Secretariat, will develop a national consultation strategy and package. This will include preparation of the necessary materials including technical briefs PowerPoint presentations, and also Cabinet-ready papers on the expanded Model Fisheries SPS Legal and Regulatory Framework and all the associated model instruments, and on the model protocols, guidelines and Caribbean Fisheries Regional SPS Framework “Green Paper” developed in 2015 under the previous related consultancy. The draft consultation strategy and package will be finalized after receiving inputs from the regional consultation.

d) Support of a CRFM/CARIFORUM and COTED regional-level consultations on revised, expanded Model Fisheries SS Legal and Regulatory Framework and all the associated instruments

In order to provide support for regional-level consultations, the Contractor, in consultation with the CRFM Secretariat, will prepare a regional consultation strategy and package. This will include preparation of a justification paper and additional supporting documentation for facilitating presentation, a review and discussion of the revised , expanded model legislation by the Caribbean Fisheries Forum, CRFM Ministerial Council and also by COTED and CARIFORUM. A draft version should be prepared for review by the CRFM secretariat, prior to finalization.

e) Convening of a regional consultation

The Contractor will convene a special regional consultation to support CRFM/CARIFORUM consideration of the revised expanded Model fisheries SPS Legal and Regulatory Framework and all the associated model instruments, and of the national consultation strategy and package. The Contractor shall serve as technical resource persons for the regional consultation, responsible for preparing the substantive technical documents and for presenting and justifying the revised expanded model legislation to the regional consultation. The Contractor will finalize the drafts of the expanded model legislation, drafting guidelines/explanatory notes, and the national consultation strategy and package based on comments and recommendations of the regional consultation.

f) Preparation of an Impact Assessment Tool

The Contractor will prepare an impact assessment tool for use by the CRFM Secretariat to evaluate changes in knowledge, attitude and practices by the agencies and countries concerned, as a direct result of the present consultancy and which may reasonably be expected to occur during 1-2 years after the consultancy. This tool should be developed in consultation with the CRFM Secretariat.

g) Preparation of Communication and visibility products

The Contractor is expected to prepare information / knowledge products in respect of the revised expanded Model Fisheries SPS legal and regulatory framework, which could be used for wider project communication and visibility purposes. These products are expected to include one or more info-graphics and brochures, at least two press-releases, as well as social media products, and any other media activity/event agreed on by the CRFM.

IV. At the end of each of the two main activities, a debriefing meeting will be held with the SPS Project Management Team and the Deputy Executive Director of the CRFM. The report of the activities will form the basis for the discussions.

5.0 EXPECTED RESULTS

Development of a comprehensive Model Fisheries SPS Act for the fisheries and aquaculture sector.

6.0 DELIVERABLES

- Inception/briefing report and a work plan which identifies the project milestones, time schedule and production of deliverables for the duration of the assignment.
- Zero, revised and final drafts of the proposed expanded Model Fisheries SPS Act, and associated expanded Model Fisheries SPS Regulations and protocols.
- Strategy and package of suitable materials to support national-level consultation on the expanded Model Fisheries SPS Legislation.

- Strategy and package of suitable materials to support regional-level consultation on the expanded Model Fisheries SPS Legislation.
- Regional consultation on the Expanded Model Legislation.
- A written report of the regional consultation, including a list of the participants, and proof of their attendance.
- Communication and visibility package for promoting the SPS Programme and for building awareness of the SPS legislation rationale.
- An impact assessment tool for use by the CRFM Secretariat to determine the impact on knowledge, attitude and practices by the agencies and countries concerned within 1-2 years of the completion of the consultancy.
- Mid-term progress report of the assignment.
- A Final Technical Report of the assignment.

7.0 ROLES AND RESPONSIBILITIES

The CONTRACTOR is responsible for execution of the main ACTIONS and accomplishing the Expected Results and Deliverables as outlined above.

In the conduct of the assignment the Contractor will be supported by the CRFM Secretariat, which will provide overall guidance on implementation of the contract. The CRFM Secretariat will assign two (2) staff (fisheries experts) who will work closely with the team at all times. The CRFM Secretariat will also assist in the circulation of documents for regional-level review, and facilitate the finalization of all documents produced.

The CONTRACTING PARTY, through the CRFM Secretariat in Belize, will provide the following assistance to the CONTRACTOR in a timely manner:

- Facilitate the issue of invitations to the regional consultation.

8.0 REPORTING

The CONTRACTOR will prepare an inception report, progress report and final reports. The progress report will be submitted mid-term of the contractual period. The final technical report should include methodologies used to deliver the various outputs, with lessons learned and recommendations for follow up action, and include final technical deliverables in publisher-ready format. The report should be produced in Microsoft Word for Windows format and submitted electronically to the SPS Project Management Team and the Executive Director and Deputy Executive Director of the CRFM Secretariat.

9.0 LOGISTICS

All logistical arrangements pertaining to travel by the CONTRACTOR and workshop participants are the responsibility of the CONTRACTOR.

10.0 DURATION

The assignment will be undertaken from August 29, 2016 to January 13, 2017.

ANNEX B: REPORTS

ANNEX B(1): INCEPTION REPORT

INCEPTION REPORT

PART 1 INTRODUCTION

1. The current assignment takes place under the 10th EDF Programme titled “Support to the Forum of Caribbean States in the implementation of the commitments undertaken under the Economic Partnership Agreement (EPA): Sanitary and Phytosanitary (SPS) Measures” and is aimed at drafting model legislation, protocols and guidelines for health and food safety related to fisheries and aquaculture. The assignment started on 29 August and will run until 13 January 2017.
2. This report is the Inception Report, as foreseen in part 4.0.II of the Terms of Reference, and summarizes the Consultant’s understanding of the assignment and provides a Work Plan identifying timelines for drafting amendments and the new model legislation. Activities carried out to date are also summarized.

PART 2 ACTIVITIES TO DATE AND UNDERSTANDING OF THE ASSIGNMENT

3. Activities carried out at the date of the report are:
 - Team mobilization (dissemination of key project documents to team members; detailed individual ToR to be developed based on revised work plan).
 - Initial document review (ToR, item 4.0.a.)
 - Online Briefing Meeting with IICA and CRFM (9 September) (ToR item 4.0.I).
 - Update of the work plan and delivery of an inception report (ToR, item 4.0.II).
 - Preliminary organizations steps for the regional workshop (ToR, item 4.0.e).
4. During the Briefing Meeting, overviews of the project activities and desired results were provided, and the Contract Terms and the Terms of Reference were reviewed in detail. Key points arising from the meeting were as follows:

Technical issues

- It was observed that the main action is to build on products developed previously, and validate the revised documents.
- The products as described in the technical proposal were noted to be what was required, but some changes were suggested. Notably it was suggested that the national consultation “strategy” should include both a general strategy / guidelines and a package of documents. The guidelines should be drafted more as a set of generic guidelines on consultations and national implementation of the model legislation, with specific reference to the consultation tools developed in the project. The package should also include a Cabinet-ready paper/submission.
- It was noted that further analysis was needed on the relationship between the fisheries legislation and the other model Bills concerning food safety and animal and plant health. In this context, it was also noted that the CARICOM Secretariat had made a number of observations concerning the scope and content of the model Bill, suggesting that it was rather limited in scope in its present form. This was accepted, noting the limitations on drafting during the first phase. It was agreed that further analysis would be undertaken, and a skeleton Bill be prepared to discuss with the Secretariat and project partners.

- It was suggested that the drafting instructions/guidelines could provide the linkages between the different Bills/ This reflects the fact that some matters related to SPS in the fisheries sector are covered by the existing model Bills on food safety and plant and animal health. The drafting instructions/guidelines should provide a comprehensive overview of SPS for the fisheries sector, identifying when issues are dealt with in other Bills.
- The Communications products were discussed. It was noted that there were multiple objectives: to raise awareness of and visibility for the project; to promote the adoption of project tools after project closure and to raise awareness of fisheries SPS issues in the region amongst stakeholders generally.
- The impact assessment tool was discussed. The expectations are two-fold:
 - 1) An evaluation of the project, and a baseline assessment of attitudes towards SPS at “year zero” (do stakeholders consider SPS to be important; is it adequately addressed in their country; is there a plan to develop SPS; should there be; has the project helped raise the profile and provide useful tools, etc.).
 - 2) Tools (i.e. a questionnaire) to assess attitudes on 1-2 years: one component directed at government stakeholders (Mainly measuring government progress; i.e. how much success was achieved with implementing the package of tools developed in the project) and one – more general – component directed at industry / NGOs (what progress has been made; what is needed).
- These tools will be used to assess changes in knowledge, attitudes and practices.
- It was noted that CRFM resources to apply the tools would be limited, so the survey instruments needed to be based on self-assessment approaches (e.g. questionnaires which stakeholders complete themselves).

Organizational issues

- Some preliminary organization issues for the regional workshop were discussed, including a review of the persons to be invited, possible venues and some logistical arrangements. It was noted that time was very limited, and that invitations to governments to nominate delegates should be sent out before the end of September. This would be done by CRFM.
- To assist with organizational issues, and to ensure all participants clear on tasks, the consultant agreed to develop a checklist for the workshop.

Contractual issues

- It was noted that on technical issues the CRFM Secretariat (Susan Singh-Renton and Peter Murray) were the contact points, while IICA were the contact points for contractual issues.
- The need for timely payments was noted, given the need to make logistical arrangements for the workshop. IICA noted that (while there can be no change to the contract price) some adjustments to the payment timings might be possible is needed to ensure the smooth running of the arrangements.
- Visibility requirements were briefly discussed. IICA and CRFM agreed to provide image files for the logos to be used in project documents.

PART 3 WORK PLAN

5. A detailed **Work Plan**, together with an **Implementation Schedule**, has been developed, based on the original proposal (responding to the ToR) and the inception phase discussions and setting out the proposed steps and methodology. The **Implementation Schedule** is set out in **Appendix 1** and the **Work Plan** is set out in **Appendix 2**.
6. As updated, the key outputs of the project and their anticipated delivery times are as follows:

Work Package	Outputs	Timing
2 Extended Fisheries SPS Act and Expanded Model Regulations	<ul style="list-style-type: none"> Zero and revised Drafts of Extended Fisheries SPS Act Zero and Revised Drafts of Expanded Model Regulations (including Technical Protocols) Drafting Guidelines 	Wks 3-8
3 National Consultations Package	<ul style="list-style-type: none"> National Consultation Guidelines National Consultation Package 	Wks 4-12
4 Regional Consultations Package	<ul style="list-style-type: none"> Regional Consultation Strategy Regional Consultation Package 	Wks 4-12
5 Regional Workshop	<ul style="list-style-type: none"> Workshop Report Validated Documents Package (outputs listed above) 	Wks 13-17
6 Communications	<ul style="list-style-type: none"> Brochure/Factsheet E-Press Pack Press feature article Online video 	Wks 5-16
7 Impact assessment tool	Impact assessment tool	Wks 11-13

7. Reporting will be carried out as foreseen in the ToR.

PART 4 WORKSHOP ORGANIZATION

8. A number of preliminary steps have been carried out:
- Estimates have been obtained from a number of local hotels and conference facility providers in Barbados.
 - A list of proposed invitees has been produced.
 - A preliminary budget has been produced.
9. The proposed list of persons to be invited is as follows (*italics indicated Barbados-based delegates that will not need per diems and travel*):
- National Delegates (2 per country; 1 fisheries and 1 other, e.g. legal or food safety).**

Antigua and Barbuda, Bahamas, *Barbados*, Belize, Dominica, Dominican Republic, Grenada, Guyana, Haiti, Jamaica, St Kitts and Nevis, Saint Lucia, St Vincent and the Grenadines, Suriname, Trinidad and Tobago. Up to 30 participants.

- **Regional Delegates**

CRFM (3), CARISEC (2), CAHFSA (1), CROSQ (1), CARPHA (1). Up to 8 participants.

- **Non-Governmental and Academic Delegates**

CERMES (2), BARBUFO/CNFO (1), CNFO (Regional) (1). Up to 4 participants.

- **Local delegates**

IICA, *Barbados Government, Barbados NGOs and Private Sector*. Up to 15 participants.

- **Opening Ceremony additional participants**

Representatives of IICA, CRFM, Barbados Government and EU Delegation, Press/Media

10. A budget has been drawn up for the workshop (see **Appendix 3**, provided separately). Key elements of the budget to note include:
- The Accra Beach Hotel has provisionally been selected as the conference venue.
 - It is proposed to accommodate delegates at the Blue Horizon Hotel (opposite, within walking distance); transfers from and to the airport will be provided.
 - Catering will be provided (lunch and coffee breaks) during the meeting, along with breakfast at the hotel, but delegates will otherwise be responsible for meals.
 - Delegates will be provided with an allowance of US\$40 per day for other meals and expenses.
 - Delegates requiring an overnight stay in Miami when travelling to/from the meeting will be provided with a full per diem for Miami at IICA rates (US\$303).
 - Flights and other payable allowances, as previously described, will be paid directly by the consultant.

APPENDIX 1 TO ANNEX B(1): IMPLEMENTATION SCHEDULE

The implementation period for this assignment is **4.5 months**. The implementation schedule is anticipated as follow

		5-Sep	12-Sep	19-Sep	26-Sep	3-Oct	10-Oct	17-Oct	24-Oct	31-Oct	7-Nov	14-Nov	21-Nov	28-Nov	5-Dec	12-Dec	19-Dec	26-Dec
Task	Description	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
1.1	Inception meeting																	
1.2	Document review																	
1.3	Work Plan + Inception Report																	
D1	Inception Report																	
2.1	Develop Zero Drafts (Acts/Regulations)																	
2.2	Develop drafting guidelines																	
D2	Zero Drafts (Legislation + Guidelines)																	
2.3	Stakeholder consultation																	
2.4	Revise drafts																	
3.1	Develop National Consultations Strategy																	
3.2	Develop National Consultation Package																	
4.1	Develop Regional Consultations Strategy																	
4.2	Develop Regional Consultation Package																	
D3	Workshop Drafts (All Documents)																	
5.1	Review of technical documents																	
5.2	Preparations for regional workshop																	
5.3	Deliver regional workshop																	
5.4	Workshop report																	
6.1	Creaste brochure																	
6.2	e-Press Pack																	
6.3	Article on workshop																	
6.4	Video (online)																	
7	Develop impact assessment tool																	
8	Reporting																	
D4	Final Report and Final Drafts																	
	Total																	

Completed
 Scheduled

APPENDIX 2 TO ANNEX B(1):WORK PLAN

WP1 - Inception Phase (Complete)

Task 1.1 - Mobilization and Inception tasks. An initial briefing meeting was organized with IICA and CRFM (remotely) to clarify and develop the objectives, activities, approach, expected outputs and any other issues related to the execution of the project that require clarification.

Task 1.2 – Document review. The documents produced during the first phase were sent to all team members for review. In addition, the team reviewed the associated IICA Model Bills on food safety and animal and plant health.

Task 1.3 – Work Plan and Inception Report. A draft Inception Report containing a work-plan detailing a brief strategy and a time-line for execution of the work, taking account of the results from tasks 1.1 and 1.2 was presented on 12 September 2016.

WP2 - Extended Fisheries SPS Act and Expanded Model Regulations

Task 2.1 – Develop zero drafts of Extended Fisheries SPS Act and Expanded Model Regulations. Zero drafts of the extended regulatory instruments (Expanded Model Fisheries SPS Act and Expanded Model Regulations) will be developed, according to the following steps:

- Assessment of scope of legislation, relationship to other Model Bills (food safety, animal and plant health); provision of a drafting plan which will include: (1) a skeleton Bill (titles of anticipated main Parts and clauses) and (2) responses to the queries raised by the CARICOM Secretariat prior to launching this project (week 6).
- Development of zero drafts, taking account of feedback from project team and CARICOM Secretariat on drafting plan (week 9).

The Regulations will include a review of the Technical Protocols completed during the first project phase (identified in bold) and completion of other protocols required to complete the regulatory framework:

- | | |
|----------------------------------------|----------------------------------------|
| • Biosecurity Control | • Personal Hygiene |
| • Chemical Use Control | • Pest Control |
| • Environmental Sanitation Control | • Product Transport |
| • Equipment Use and Maintenance | • Raw Material – Ingredients |
| • Facility Sanitation and Maintenance | • Waste Disposal Control |
| • Fishery Facility Food Safety System | • Water and Ice Quality Control |
| • Fishery Product Recall Response | • Fishery Product Traceability |
| • Fishery Product Storage | • Harvesting and Production |
| • Labeling | • Work Welfare and Safety |
| • Packaging | |

Task 2.2 – Develop drafting guidelines. A detailed guidance note will be developed, outlining the background to each clause in the draft legislation, including by identifying linkages with international standards and regulations and also the draft IICA Model Bills on food safety, etc. These will be produced simultaneously with the draft legislation (week 6).

Task 2.3 – Consultation on drafts of Extended Fisheries SPS Act and Expanded Model Regulations. The zero drafts and draft guidelines will be presented to CRFM and other key stakeholders (primarily the TNINT or equivalent in each country and regional institutions). A remote consultation will be conducted, consisting of initial responses by email supported (on requests with individual counterparts) by remote meetings between the Consultants and TNINTs. Four weeks will be provided for this process, with the objective of enabling revisions to be completed (task 2.4) by the end of week 13.

Task 2.4 – Revised drafts of Extended Fisheries SPS Act and Expanded Model Regulations. The draft regulatory instruments will be revised in light of the preliminary consultations. The drafting instructions/guidelines will be updated as necessary.

Outputs

- Zero and Revised Drafts of Extended Fisheries SPS Act
- Zero and Revised Drafts of Expanded Model Regulations (including Technical Protocols)
- Drafting Guidelines

WP3 – National Consultation Package

Task 3.1 – Develop National Consultation Strategy. A general guidance document will be developed, outlining the key steps for a national consultation on the model legislative instruments, and the key steps for national-level promulgation of the model regulatory instruments. Whilst it is understood member countries are well-versed in such procedures, and have specific national mechanisms, the Strategy document will make specific reference to the legislative instruments and consultation tools (task 3.2) developed within the project.

Task 3.2 – Develop National Consultation Package. A package of tools and materials will be developed to facilitate national consultations, as outlined in the Strategy document. The package will be designed to complement (and avoid duplication with) other on-going activities at the national level, including other IICA technical initiatives in the region. The package will include:

- Stakeholder Introduction Letter Template (model letter to introduce the consultation to stakeholders)
- Consultation Document (as a guide to and justification for the regulatory instruments, and identifying the key consultation questions)
- Model Drafting Instructions
- Model Cabinet-ready Submission
- Integration of communication materials developed in WP6 (notably the brochure) and the drafting guidelines developed in WP2.

Outputs

- Model National Consultation Strategy
- Model National Consultation Package

WP 4 - Regional Consultations Package

Task 4.1 – Develop Regional Consultation Strategy. This will build on the first phase project and the drafts developed during this project and will address both horizontal consultations with other regional agencies (in particular CAHFSA and CROSQ) and vertical consultations (consultations with CARIFORUM countries). The Strategy will be designed to raise awareness and consensus on fisheries SPS issues within the region and to enable CRFM to conduct regional advocacy activities.

Task 4.2 – Develop Regional Stakeholder Consultation Package. A package of tools will be developed to assist in CRFM consultation and advocacy activities. The package will include:

- Briefing and advocacy materials, including PowerPoint Presentations and factsheets.
- Integration of communication materials developed in WP6, national consultation tools developed in WP3 and monitoring / impact assessment tools developed in WP7.

Outputs

- Regional Consultation Strategy
- Regional Consultation Package

WP5 – Regional Workshop

Task 5.1 – Review of technical documents. All technical documents produced under the project will, after approval by CRFM, be distributed for review by stakeholders. Responses will not specifically be requested at this stage, but any provisional comments received will be reviewed.

Task 5.2 – Preparations, including production of workshop materials. Support for the various logistical and other preparations will be provided for the regional workshop. The Consultants will prepare a workshop package (agenda, handouts, presentations, etc.) to cover the various components of the meeting.

Task 5.3 – Deliver a CRFM/CARIFORUM Consultation. A regional workshop will be organized and facilitated with the participation of legal and fisheries representatives from CARIFORUM countries, relevant regional organizations and agencies and relevant civil society organizations and other stakeholders (up to 60 delegates). It is proposed that the meeting takes place over 2 days. The meeting (subject to specific orientations) will comprise the following components-

- Welcoming addresses, etc.
- Review and Validations – Extended Regulatory Instruments (Act and Regulations)
- Review of Regional and National Consultation Materials (Strategies and Packages)
- Presentation of communication tools
- Closing and conclusions

Task 5.4 – Workshop Report. Together with CRFM, a workshop report will be prepared.

Outputs

- Workshop Report
- Validated Documents Package (outputs listed above)

WP 6 – Communication and Visibility Tools

The communications package will be an integral part of the consultation strategies and will be specifically designed to garner public and political support for the legislative tools (e.g. by underlining in accessible language the importance of fisheries SPS not only for the fisheries and aquaculture sectors, but also for social and economic progress within the region).

Task 6.1 – Brochure / Factsheet. A brochure will be created as an introduction to the legislative and policy amendments, and containing a ‘call to action’ to users to consult CRFM website for full details (and, where appropriate, national websites or contact points).

Task 6.2 – e-Press Pack. An e-Press Pack (containing infographics in PDF and for web) will be developed for email distribution to media houses in CARIFORUM member states and PDF download from CRFM website.

Task 6.3 – Press feature article. A long-form feature article containing stakeholder interviews with infographic will be developed for dissemination through Caribbean Media Corporation CANANEWS wire service to CARICOM newspapers. It will also be made available for email distribution to media in CARIFORUM member states and PDF download from the CRFM website.

Task 6.4 – Online video. A short online video clip will be developed, providing a review of the project and setting a context for next steps. This will be developed primarily at the regional workshop, and will involve interviews from stakeholders and experts.

Outputs	▪ Brochure/Factsheet
	▪ E-Press Pack
	▪ Press feature article
	▪ Online video

WP 7 – Impact Assessment Tool

An impact assessment specialist will be engaged to develop an impact assessment tool in accordance with international best practices and the specific orientations of CRFM obtained during the inception phase.

Task 7 – Impact assessment tool. An impact assessment tool will be developed consisting of two main components, aimed at supporting CRFM follow-up activities-

- 1) An evaluation tool for the project, aimed at measuring project impact and a baseline assessment of attitudes towards fisheries SPS in the region at “year zero” (do stakeholders consider SPS to be important; is it adequately addressed in their country; is there a plan to develop SPS; should there be; has the project helped raise the profile and provided useful tools, etc.).
- 2) Tools (i.e. a questionnaire) to assess attitudes (and measure changes in attitudes and knowledge) in 1-2 years; one component directed at government stakeholders (mainly addressing government progress ; i.e. how much success was achieved with implementing the package of tools developed in the project) and one – more general – component directed at industry / NGOs (what progress has been made; what is needed).

Outputs	▪ Workshop Report
	▪ Validated Documents Package (outputs listed above)

WP 8 - Reporting

Task 8 – Reporting. The final work package will address delivery of all requested reports. These include (proposed delivery dates in brackets):

- Inception report and work plan (week 2)
- Mid-term progress report (week 9)
- Report of the regional workshop (week 17)
- Draft and final versions of a final technical report (to include the specific technical products (inception report, Terms of Reference, expanded Model Act and expanded Model Regulations and drafting instructions / guidelines and explanatory notes, national and regional consultation materials and documents, impact assessment tool, information/knowledge products) (project end).

Outputs

- Project reports

ANNEX B(2): INTERIM REPORT

INTERIM REPORT

PART 1 | INTRODUCTION

2. The current assignment takes place under the 10th EDF Programme titled “Support to the Forum of Caribbean States in the implementation of the commitments undertaken under the Economic Partnership Agreement (EPA): Sanitary and Phytosanitary (SPS) Measures” and is aimed at drafting model legislation, protocols and guidelines for health and food safety related to fisheries and aquaculture. The assignment started on 29 August 2016 and will run until 13 January 2017.
3. This report is the Interim Report, as foreseen in part 4.0.II of the Terms of Reference, and summarizes the Consultant’s updated understanding of the assignment and provides summarizes activities carried out to date.

PART 2 | TECHNICAL COMMENTS

4. At a general level, it may be observed that following analysis of the legal instruments that now form the framework for the fisheries SPS legal instruments, some changes to the approach have emerged. These changes take into account specifically the developing environment at the CARICOM level, which is currently taking forward the Model Bills on Food Safety, Plant Health and Animal Health developed under the 10th EDF programme.
5. Primarily, it is considered that the Model CARICOM Bills on Food Safety and Animal Health provide a complete code at the primary legislation level for SPS matters in fisheries. Both Bills make it clear that they apply in their entirety to fish and fish products. In the Food Safety Bill – although no food types are specifically mentioned – the definition of food (s. 2) clearly includes fisheries; but in any case, s. 3 on scope confirms that the Bill applies to “all food” notwithstanding other legislation that may exist on “fish and aquaculture products, meat or other specific food products”. As regards the Animal Health Bill, “fish” and all other “aquatic” animals are included in the definition of “animal” (s. 2).
6. Since both Bills are intended to (and do) provide a complete code for, respectively, food safety and animal health it follows that there should not in principle be need for separate primary legislation addressing the fisheries sector. This is also consistent with typical practice elsewhere (from both policy and legislative perspectives). Thus, in food safety “fish is food” like any other, and – while there are specific technical and regulatory issues specific to fisheries and fish products – other countries typically do not have separate primary legislation (and limited secondary legislation specifically on fisheries or fish products). The situation in Animal Health is slightly different, since the OIE has developed two separate Codes for Terrestrial Animal Health and Aquatic Animal Health and there are substantial differences (although also many similarities) between the two. Nevertheless, generally speaking primary legislation is focused on animal health holistically.
7. Whether matters should be included in primary or secondary legislation is subjective. In the CARICOM model legislation context, it is something that would be determined at the national level. From our own analysis, there are matters relating to fisheries that could have been included possibly in the Food Safety Bill (particularly relating to enforcement in marine waters) and particularly in the Animal Health Bill (relating to obligations of aquaculture establishments, management of aquaculture animal health outbreaks and management and enforcement in marine waters).

8. From a pragmatic perspective, it is not considered helpful (or necessary) to re-open any questions concerning the Model Bills, which have been validated and are progressing in the CARICOM machinery. It is noted also that FAO were of the view, during the drafting, that they should be kept “light-weight”. More detailed provisions in the Food Safety Bill addressing fisheries specific issues (enforcement in marine waters) were removed, on the recommendation of FAO.
9. The critical question, therefore, is whether the Model Bills provide the necessary enabling powers for secondary legislation that might be needed. This is something that needed to be reviewed following formulation of the secondary legislation. That legislation needed to address three key areas:
 - a. food safety in the fisheries sector – focused on food safety requirements that apply on/to fishing vessels, the landing of fish products in port, enforcement at sea and specific requirements relating to the transport of fishery products.
 - b. fish health – focused on inspection and procedures for marine fish (on fishing vessels, landing, etc.) and general measures for all fish, e.g. labeling, traceability, etc.
 - c. aquatic animal health (meaning aquaculture) – animal health control measures for aquaculture facilities.
10. The backward review of the Model Bills demonstrated that the necessary enabling powers existed.
11. Accordingly, the approach that has been developed is to develop three sets of regulations dealing with matters outlined above. These can stand alone as regulations, although it would be open to individual Member States to “mix and match” by moving some parts of the regulations to primary legislation or moving or combining regulatory provisions in a differently organized set of regulations. The nature of CARICOM model legislation enables this flexibility. As such, this approach also “naturally” responds to the earlier concerns of CARICOM concerning the content of model primary legislation for fisheries, and the potential for conflict or overlap – evidently, there can be none.

PART 3 | ACTIVITIES

2 | Legislation

12. The drafting is still in progress, but close to being complete. Drafts are being prepared, as described above.
13. The re-evaluation of the process outlined above – while not taking a significant amount of time – did take up additional time in the project that was not really available given the very restrictive timetable for implementation. Moreover, the drafting is more extensive than first envisaged because there is more work that has to be done from the beginning, rather than building on earlier work. These will be presented by 5 December at the latest.

3,4 | Regional and National Consultation Packages

14. The consultation packages are mostly complete. The final drafts will need to take account of the final drafts of the legislation, and so will need to be prepared subsequently. It is proposed to deliver these on 7 December.

5 | Regional Workshop

15. In terms of technical inputs, power point presentations are being prepared. Two changes to the format are proposed:
 - a. An update to the agenda is proposed. This will be sent with the outputs for review. An expanded item is needed on the background and regional context. This is to outline in more detail the overall framework for food safety and animal health in the fisheries sector, and to develop an understanding that the fisheries sector needs the basic “building blocks” for SPS as well as the fisheries specific legislation.
 - b. Given the timing of delivery of the draft legislation, it is proposed that participants be invited to review the drafts after the workshop. The final validation will take account of the workshop outcomes and the paper exercise.

6 | Communication Tools

16. These are being prepared. Most communications outcomes (press article, video, press pack) follow on from the workshop. Others (brochure) will be presented at the workshop, along with an outline of the other tools to be developed.

7 | Impact Assessment Tool

17. The impact assessment tool is still being developed. A series of draft questions / assessment criteria have been identified for the questionnaires. The drafts are now being updated to reflect the need to take account of progress on the general framework for food safety and animal health in the evaluation for the fisheries sector.

PART 4 | WORKSHOP ORGANIZATION

18. Workshop organization is progressing as foreseen. The workshop organizer will provide a separate report on the state of play, on 2 December.

ANNEX B(3): REPORT OF THE REGIONAL VALIDATION WORKSHOP

REPORT OF THE REGIONAL VALIDATION WORKSHOP

1.0 INTRODUCTION

- 1.1 The Regional Validation Workshop for Model Legislation, Protocol and Guidelines for Health and Food Safety related to Fisheries and Aquaculture in CARIFORUM States took place from December 14-15, 2016 at the Accra Beach Hotel and Spa, Rockley, Christ Church, Barbados.
- 1.2 The objectives of the Workshop were-
 - To review the outputs of the present consultancy and provide inputs to inform finalization of the documents;
 - To endorse the final documents (subject to further review) to facilitate CRFM approval; and
 - Prepare for subsequent recommendation to COTED and other CARICOM and/or CARIFORUM bodies.
- 1.3 The Workshop was opened by Mrs. Joyce Leslie, Deputy Chief Fisheries Officer, Ministry of Agriculture, Food, Fisheries and Water Resource Management, Barbados.
- 1.4 Welcoming remarks were extended by Mrs. Ena Harvey, Representative, Inter-American Institute for Cooperation on Agriculture (IICA), Barbados Country Office who first acknowledged the milestone achievement of the project with respect to helping the fisheries industry move closer to making Caribbean fish and seafood trade safer and more profitable. Mrs. Harvey expressed gratitude to the European Union (EU) for funding the Sanitary and Phytosanitary (SPS) programme approved under the 10th EDF which was being implemented by IICA, Barbados country office.
- 1.5 A brief overview of the work carried out by the SPS Programme, and in particular, its different phases and products, was provided. The SPS goals of facilitating trade and the provision of safe food were deemed complementary since trade could only take place when there was full confidence that food was safe. In conclusion, countries were driven to hold onto opportunities to improve their food safety standards since the project would permit Caribbean countries to institute adequate food safety systems that were supported by powerful modernized legislation.
- 1.6 Ms. Katja Svensson, Representative of the EU, extended warm greetings to those in attendance and immediately thereafter noted that the SPS programme commenced in October 2013 and would conclude in March 2017. A commitment to protect plant, animal and human health was deemed the basis of the EU's support throughout the Region. The importance of fisheries for personal consumption and export purposes was highlighted despite the continued pollution of the ocean which had continued to propel the need to ensure food safety. In essence, Ms. Svensson stressed that the validation exercise would play an integral role in the achievement of a functional SPS framework for the Region in the near future.
- 1.7 Mr. Milton Haughton, Executive Director, Caribbean Regional Fisheries Mechanism (CRFM), expressed gratitude to the Government of Barbados (GOB) for facilitation of the workshop. Special mention was also made of the contribution of the EU to the Caribbean Region over the years. Also noted was the number of studies which had highlighted the tremendous potential of

the Seas, Oceans and Inland Waters in relation to its contribution to economic growth and development, and the adoption of the 2013 Agenda for sustainable development and the seventeen Sustainable Development Goals (SDGs) by Member States of the United Nations in September 2015. Importantly, many of the SDGs were found relevant to the fisheries sector.

- 1.8 The export of fish and fisheries products was deemed important to Caribbean countries due to their high dependence on international trade, foreign exchange earned, and export of goods and services. Notably, fish and fisheries products constituted the most highly traded commodities internationally. As a result, the level of trade had grown exponentially over the years reflecting an increase in the value of international trade from US\$15.5 billion in 1980 to US\$140 billion dollars in 2014.
- 1.9 Notwithstanding, CARIFORUM countries continued to face increasing barriers or impediments to regional and international markets mainly due to their inability to satisfy constantly evolving export quality and safety requirements such as those specified by the SPS regime. Other important impediments identified were those relating to technical standards, labeling and more recently voluntary certification for biological sustainability as well as social and labor conditions. It was thereby envisaged that the instruments under review would assist in the creation of a solid foundation to enable Member countries to take advantage of the opportunities to expand export efficiency in international and regional markets.
- 1.10 Mrs. Princess Lovell-Chandler, Deputy Permanent Secretary (DPS), Ministry of Agriculture, Food, Fisheries and Water Resource Management extended warm greetings followed by an acknowledgement of the vital role from both marine captured fisheries and aquaculture. The significant impact of the changes introduced by the European Union's SPS requirements on the region's export trade during the period 1997-1999 resulted in over fifteen inspection activities undertaken in CARIFORUM countries by the Food and Veterinary Office of the EU between the years 2000-2009. Consequently, several limitations in the SPS systems of Caribbean countries were exposed. Hence, the SPS component of the project was regarded as timely and it was envisioned that the majority, if not all of the weaknesses found within the CARIFORUM countries would be addressed.
- 1.11 In closing, the Deputy Permanent Secretary noted that it was anticipated that at the end of the SPS programme, CARIFORUM States would be in a better position to develop their own regionally harmonized SPS measures and facilitate improved market access through compliance with SPS standards as stipulated by Europe, United States of America and Canada.
- 1.12 The official vote of thanks was delivered by Dr. Susan Singh-Renton, Deputy Executive Director, Caribbean Regional Fisheries Mechanism (CRFM), recognizing the contribution of all partners who had assisted in reaching this stage of acquiring model Fisheries Regulations for the CARIFORUM Region.⁸

⁸ The following were recognized: European Union; Inter-American Institute for Cooperation on Agriculture; CARICOM Secretariat; CARIFORUM/CARICOM States; National Committee for Application of SPS measures in the Dominican Republic; Supporting Staff of Caribbean Regional Fisheries Mechanism; Milton Haughton, Executive Director, CRFM; Peter Murray, Secretariat, CRFM; National Networking Teams created by IICA; Mrs. Joyce Leslie, Deputy Chief Fisheries Officer, Ministry of Agriculture, Food, Fisheries and Water Resource Management, Barbados; Media entities; Participants of Workshop; Chris Hedley and the team of Global Centre for International Law; and all other persons working behind the scenes.

2.0 ELECTION OF CHAIRPERSON AND PROCEDURAL MATTERS

2.1 Milton Haughton, Executive Director, CRFM was nominated by Barbados to chair the proceedings of the workshop since Barbados indicated its intention to participate at the workshop in a technical capacity. The nomination was seconded by Professor David Berry, Dean of Law, University of the West Indies. There being no other nominations, Milton Haughton was elected to the chair. This was followed by the introduction of representatives from the various CARIFORUM States and organizations attending the workshop.

3.0 PRESENTATIONS

Status Update with Fisheries Sub-sector Highlights

- 3.1 Dr. Susan Singh-Renton, Deputy Executive Director, Caribbean Regional Fisheries Mechanism commenced the presentations with a brief overview of the achievements of all the agencies involved in the project while emphasizing the project objective - the beneficial integration of CARIFORUM States into the world economy.
- 3.2 Special mention was made of the major partnerships in their respective capacities which contributed to the achievement of the SPS endeavor, namely, the European Union as an International development partner; Inter-American Institute for Cooperation on Agriculture, implementation agency in collaboration with CARICOM; Caribbean Regional Fisheries Mechanism and CNSMF – National Committee of the Dominican Republic as well as the Member States of CARIFORUM.
- 3.3 The bedrock components and its three major areas of constraints - legislation, coordination mechanism and capacity building - which the project sought to address were highlighted. The outputs obtained from the work commenced on the legislative framework in 2015, included the development of the Animal Health Bill, Plant Protection Bill, Food Safety Bill and the first phase of this project, under CRFM's remit, dealing with fisheries SPS (food safety) legislation.
- 3.4 Dr. Singh-Renton noted that the model Bills were currently being reviewed by the CARICOM Secretariat for preparation and subsequent adoption by COTED. Hence, it was iterated that the instruments were available for Member countries to align or adjust their legislation as far as possible.

Review of Consultancy Outcomes and Approach

- 3.5 Chris Hedley commenced his presentation by noting the difficulties faced by CARIFORUM States to meet market standards set by International countries. As a result, Mr. Hedley informed that the project concentrated on SPS measures for the fisheries sector so as to ensure or initiate market access to some more lucrative international trading blocs and/or countries such as the European Union (EU), Canada and the United States of America (USA). Notwithstanding, it was noted that some challenges were also experienced with some aspects of regional trade in CARICOM.
- 3.6 In recognition that a range of regulatory areas needed to be developed, focus was placed on Food Safety and Animal Health with respect to the fisheries legislative framework (while recognizing that some aquatic plants also raised SPS issues). It was further noted that much was already

achieved in the model Animal Health and Food Safety Bills, and that these Bills were progressing through the CARICOM machinery. The approach taken with the fisheries SPS legislation was to build on the earlier work in the CRFM consultancy, and also to align with the outcomes of the other legal drafting exercises.

3.7 Overall, Mr. Hedley identified the outcomes of the consultancy as follows:

- (i) two sets of Regulations for food safety regarding fisheries and animal health for fisheries and fish products – these were based under the respective model CARICOM Bills, which it was suggested provided a sufficiently comprehensive code for SPS matters, and the necessary powers to develop such Regulations;
- (ii) technical protocols/requirements – some were included in the Schedules to the Regulations, while others could be provided on a stand-alone basis; this meant they could be adopted and managed at the Regional level and thereafter incorporated at the national level of countries;
- (iii) implementation tools including explanatory notes, consultation package which provided guidance on implementing and developing the Regulations, specific model documents as well as regional consultation tools; and
- (iv) Communication tools aimed at raising awareness and conducting national consultations.

3.8 The instruments had been developed not only to extend the range of SPS matters dealt with, but to fit within the frameworks established by the other model Bills. This was able to focus more on fisheries specific issues, whereas the absence of any fundamental legislation during the first phase had led to a more general focus (e.g. general requirements for pre-requisite programmes and general needs to obtain licensing and official controls).

3.9 In summation, Mr. Hedley outlined the following based on his own assessment:

- (a) Interference of CARICOM model Bills regarding Animal and Plant Health as well as Food Safety should preferably be avoided;
- (b) It was found that there was no need for specific primary legislation to govern the fisheries sector given the extent of the Food Safety Act;
- (c) Regulations were drafted based on the CARICOM Model Bills since they provided the powers as Primary Acts; and
- (d) But it was up to individual consideration at the national level how the legislation might be developed, and what might be included in primary or secondary legislation.

4.0 OPENING DISCUSSIONS (PLENARY)

4.1 The following comments and recommendations of participants (delegations) are set out below:

Barbados

- (i) Regulations set out conditions for factory, freezer and carrier vessels however it was noted that some vessels could not be grouped under the identified classifications, and as a result, a gap in the definition of fishing vessels was evident;
- (ii) An element of the registration process for a vessel under the Fisheries Act was that a license be issued to fish for a particular species as well as any other particular conditions set out under that fishing license. However, under the Food Safety and Fishing Regulations for food it was noted that a sanitary license was requested. Hence, clarification must be provided with respect to the correct term to be applied whether "sanitary certificate" or "sanitary license" in order to avoid conflicting interpretations of the intended requirements.

Belize

- (i) It was observed that the definition of aquatic organisms provided by FAO encompassed aquatic plants and animals.
- (ii) Safety be not compromised since every country should ensure that minimum safety requirements were achieved.

CAHFSA

- (i) The CARICOM Food Safety Bill was sufficiently broad to capture all that was thereby contained in the Fisheries Regulations. Focus should be more on the achievement of a broad enabling food safety framework to facilitate all aspects of food safety in the provision of the necessary powers which could establish structures downstream to deal with any specific aspect of the food safety arrangement. Hence, there was no need for a separate primary Bill once the focus was on food safety and not a particular organism.
- (ii) There was no need for a separate Bill for fish since “fish” was already mentioned in the Food Safety Bill. However if insisted upon, it was proposed that the CARICOM Food Safety Bill be used, but in so doing, every reference to “food” be replaced with “fish” accordingly; and
- (iii) Reference to "Food Safety Service" be replaced by “Competent Authority”.

CRFM Secretariat

- (i) In other jurisdictions, reference to fish in the Fisheries Act included aquatic and marine plants which had caused countries to consider aquaculture and marine culture. Therefore any definition focusing on fish as opposed to plants would bring about a jurisdictional issue given the legal frameworks already in existence in some countries;
- (ii) In many countries some Fisheries Regulations provided a broad definition of fish while recognizing that marine plants were utilized as marine resources. Fisheries development programme not only considered marine animals but also marine plants. Consideration be applied to whether provisions were required for management of marine plants if they were not already regulated through other instruments;
- (iii) Development of specific definitions/classification for smaller vessels used in some jurisdictions such as canoes or dory boats which transported fish to other fishing vessels as well as the other vessels used in the delivery of this service;
- (iv) Provision of both sets of Regulations regarding Aquatic Animals and Plants since these areas were currently being utilized within CARICOM States. Identification of the instruments needed, as well as, an examination of the existing model legislation to determine its comprehensiveness to address the matters of aquatic animals and plants;
- (v) Additional information be obtained if necessary to ensure that existing model Bills or Acts of Parliament provided sufficient power for the development of the Regulations;
- (vi) Existing Standard Operating Procedures (SOPs) for fisheries enforcement and its procedural manual developed for CARIFORUM countries be examined in the context of the proposed legislative framework;
- (vii) The relationship among the Bills be reflected within the guidance notes of the legislative framework;
- (viii) Provisions be instituted for the principles and standards in regional and national instruments so as to ensure their effectiveness as well as coherence and compatibility with other policies and existing legislation within the various CARIFORUM countries.

FAO

- (i) Definition of Aquatic Plants not be included in the scope of Aquatic Animal since it could impact the kinds of measures to be applied. However, definition be included in the scope of the overall Regulations and specific Regulations be developed thereto. In addition, aquatic plants can be viewed from the perspectives of: (a) potential invasive alien species; (b) food safety products; and (c) herbal supplements, and therefore are connected to other areas related to plant health.
- (ii) Creation of a legislative framework at the Regional level which allowed flexibility at the national level as well as guidance notes which reflected the methods to be applied.

II CA

- (i) The structure and content of the CARICOM model Bills as well as Regulations reflected the basic requirements to meet SPS and Health and Food Safety (HFS) standards in terms of market access and national food safety requirements. It was recognized that some countries may possibly not be at a level that would allow for the complete incorporation of the Regulations into their national legislation. Nevertheless, the Regulations should be examined to ascertain those basic requirements needed by countries which would allow greater access to International trade as well as satisfy the needs of local consumers.

Jamaica

- (i) The definition of fish captured sea reptiles but not amphibians.

St. Vincent and the Grenadines

- (i) Enquired whether legislation could become a barrier to trade or too stringent for some countries to adopt given their varying competencies;
- (ii) Enquired whether legislation could be used as a tool to combat the aspects of IUU fishing; and
- (iii) Contemplated the potential effect on Member countries who could not fully comply with the stipulated measures.

Consultant's responses

- (i) Aquatic Animal Health Regulations were primarily expected to examine the specific feature of animal health and the Fish Inspection Regulations applied to food safety; they provided the main implementing measures needed *specific to fisheries* but needed to be placed in the overall context of other SPS legislation to be developed;
- (ii) No intention of including aquatic plant in the definition of Aquatic animal for the purpose of aquatic animal health since one system is dealt with by the animal health and the other plant health; however, it was recognized that some SPS matters arose for aquatic plants;
- (iii) Sea reptiles and amphibians could be included in the definition of "animal" for the Aquatic Animal Health Regulations;
- (iv) Consideration would be applied to the development of a separate Regulation for Aquatic plants since this could be addressed under the current project; however, the controls on the whole tend not to differ as between aquatic and non-aquatic plants (the main differences related to governance, e.g. coordination with the fisheries department, and enforcement at sea).
- (v) Countries needed to identify additional power(s) required within the CARICOM legislation if it appeared that insufficient powers were contained therein; it's a question of interpretation and national customs;
- (vi) Review could be undertaken of the SOPs with respect to fisheries enforcement and its procedural manual developed for the CARIFORUM countries in light of the Regulatory framework;

- (vii) Feedback was required from countries to define the types of vessels being used. In addition it was proposed that this aspect be handled at the country level; it would not need to be defined specifically in the model legislation.
- (viii) Instruments inadequately adapted could become barriers to trade. Hence countries needed to ensure that the instruments were adapted appropriately at the national level. In principle, if correctly adapted, the barriers to trade would be reduced. Also, there was a graduated enforcement policy within the Regulations to facilitate countries which were unable to comply with the high standards required;
- (ix) An element for Aquatic plants would be considered in order that a complete position was obtained.

5.0 REVIEW OF THE MODEL FISH INSPECTION REGULATIONS

- 5.1 Mr. Hedley commenced this session by first informing that two versions of an explanatory note had been developed for each set of Regulations, namely, a brief explanatory note which was a shorter and cleaner version that could be provided to Stakeholders and/or be used for drafting instructions, as well as, an Annotated note which contained extra narrative explaining the alignment of the various instruments and some extra comments which reflected its integration into the Food Safety Act and its relation to CODEX Alimentarius or other standards. In addition, it was pointed out that most of the terms defined in the Regulations were also carried in the CARICOM model Bills.
- 5.2 A brief synopsis of the Interpretation and Definition sections was provided prior to the extensive review of the structure of the Regulations. Subsequently, Mr. Hedley requested that consideration be applied to the respective sections of the Regulations as follow:
 - (i) Part 4 - "Requirements for licensed vessels": identification of the types and needs of vessels to be captured within the Region;
 - (ii) Part 5 - "Harvesting and Production": identification of the additional requirements to be included in a separate legislation for fisheries instead of the food safety legislation since very general requirements for fish and fishery products were currently outlined therein;
 - (iii) Part 9 - "Enforcement and Compliance Notices": Identification of specific emergency powers in response to emergency outbreaks if there seemed to be a void therein.
- 5.3 The following comments and recommendations of Countries and Organizations are set out below:

Belize

- (i) Belize Regulations not only covered fish but include fisheries products, Inspection Regulations for both imports and exports, required cooperation to undertake inspections, prohibitions, as well as administrative actions and other issues such as packaging, labeling and traceability.
- (ii) In recognition of the sovereignty of individual Member Countries, it was noted that the imposition of a mandatory system for auditing was not realistic or acceptable since the decision to facilitate such action was entirely determined by the country. It was suggested however that the respective agencies have different modules in place to facilitate varying levels of compliance taking into account all relevant factors based on available resources. It was envisioned that this would assist the sectors in the movement from one level to another according to the instituted system.
- (iii) It was cautioned that drafting of Regulations not be not watered down while reminding that under the WTO, if a country's local facilities could not meet a certain requirement, it was illegal for that country to impose a higher standard on the imported product when the

same standard was not applied to the domestic product. Hence, it was deemed important to identify and assist those Stakeholders who needed guidance in meeting the stipulated requirements in order to ensure that the product on the market was safe for human consumption. Therefore, countries needed to be innovative in formulating those strategies and programmes which would assist them in graduating to a higher level of conformity.

- (v) The title as well as scope of the Regulations should be made clearer.
- (vi) Critical components of the Regulations needed to be clearly identified.
- (vii) Determine whether the provisions outlined in Regulations should be provided in substantive law or even expanded.
- (viii) Review Regulations to ascertain the relevancy of the elements.

CAHESA

- (i) Enquired of testing for heavy metals such as mercury and lead as required by the European Union while noting that the frequency of testing for micro-organisms should occur more often than once per year.
- (ii) Greater clarity be obtained regarding the provisions outlined for Section 26 “Sampling of water” and in specific, sub-section 2 which stated that samples of water from a public source be taken once per year but from a private source once per week; as well as; sub-section 4 which indicated that where two consecutive samples from a source whether public or private was tested positive for coliforms then that water source be not used until the source of contamination be identified and eliminated. It was concluded that the recommended action against the public source was a bit misleading and required amendment to reflect a more immediate action based on findings.
- (iii) In reference to the design and construction of license vessels, it was noted that the provisions thereunder appeared to refer only to vessels that were fishing for lengthy timelines but not for boats which departed and returned on the same day. Therefore it was proposed that a clause be added to include these other vessels.

CARICOM Secretariat

- (i) The inclusion of a purpose clause to identify the areas covered by the instruments and expected achievements thereby reflecting application and purpose of instruments.

CRFM Secretariat

- (i) Fisheries Act of some countries indicated that an authorized officer could enter the premises of an establishment without a warrant yet in the Regulations it was indicated that a warrant would be required which was viewed as a potential contradiction.
- (ii) In reference to Section 95 (confidentiality), it was enquired whether the absence of a certain level of data (which might not be disclosed due to confidentiality) might result in action being precluded due to the precautionary principle.
- (iii) Provision of clear prohibitions be set out throughout the Regulations.
- (iv) Some provisions currently featured in the Regulations could be transferred to a Bill; either as a stand-alone or compiled as a potential supplementary part of another Bill.
- (v) Key principles and procedures, as well as the required powers and authorities be identified in principal legislation while all other provisions be situated within the Regulations as a means of providing greater flexibility.
- (vi) Having identified the international standard to be matched/achieved, formulation be developed that meets that basic minimum standard as well as an alternative formulation which was EU compliant in terms of presenting the model.
- (vii) Review of issues that were fisheries specific although it was recognized that some issues were more general and could be dealt with under the food safety legislation. In addition,

- a determination be made on the elements to maintain in the Regulations and the Schedules as well as the overall instruments to accompany the policy.
- (viii) Regulations of Jamaica and Belize be reviewed to ascertain lessons learnt and benefits to be derived therefrom.

IICA

- (i) Cautioned of being too prescriptive since it should be a determination of the individual Member Countries on what was required based on their interpretation since Regulations must be applicable to the reality of each country. Nevertheless, it was agreed that some basic requirements were required to elevate the fisheries sector to a level which was anticipated by the individual countries.

Jamaica

- (i) Gather information on the experiences of countries in relation to Fisheries so that these realities could be considered in the development of the Regulations.

Suriname

- (i) The Structure of Section 26 be reviewed to ensure that the identified criteria were appropriate since it appeared as though there may have been some confusion between requirements for Fish Inspection and fishing vessels.

Consultant's responses

- (i) It was noted that for each animal there were specific product requirements as well as technical requirements in relation to processing. Some fish aspects were a bit different primarily due to the requirements of design and construct for fishing vessels which would not be the same for the design of food establishments normally referred to in Food Safety Regulations.
- (ii) Regulations were designed to capture not only fish inspections but fish hygiene as well as handling of fisheries products.
- (iii) Noted that it was a bit difficult not to be prescriptive in the development of Regulations due to their detailed nature while reminding that Regulations usually set out the standards needed for implementation.

6.0 REVIEW OF THE AQUATIC ANIMAL HEALTH REGULATIONS

- 6.1 Regulations were drafted based on the CARICOM model Animal Health Bill and aimed to focus on aquaculture establishments, other food establishments, aquaculture and fish products. It was advised that the scope of the Regulations be decided at the national level. The Regulations do not apply to ornamental aquatic animals kept in non-commercial places, fish coming into the food chain, nor fish feed.
- 6.2 The treatment of animals required the actions of a veterinarian while in relation to aquaculture the required action for treatment could be provided by a qualified and experienced Aquatic Animal health professional.
- 6.3 The following comments and recommendations of Countries and Organizations are set out below:

Antigua and Barbuda

- (i) Development of legislation reflected more land base types of facilities rather than mariculture facilities. Hence, there was a need to have a broader view in the way the legislation was structured. Also noted was the role of pharmaceutical boards which

granted permission to use aquaculture drugs. Most issues with respect to aquaculture involved drug residuals and monitoring, which does not appear to have been addressed in the Regulations.

- (ii) It was proposed that matters related to live fish trade for consumption be fitted into the concept of animal welfare.
- (iii) Provisions be included for other aspects of fisheries management such as wild stock.
- (iv) Legislative framework of Scotland could be reviewed, as they have been regulating this area for many years.

Barbados

- (i) In some jurisdictions, it was noted that the Chief Fisheries Officer was responsible for aquaculture. However, in recognition of the role of the Chief or Senior Veterinary Officer according to jurisdictions, it was emphasized that there would be shared responsibilities between these two authorities for the approval of the licensing and registration process. This would also allow the exchange of information and collaboration between the two authorities unless the proposed process was changed.
- (ii) Approval of the Chief Fisheries Officer with respect to the licensing and registration process be included in the draft Regulations.
- (iii) Definition of mariculture be included as well as the concept of ranching since this was deemed an operation in aquaculture.

Belize

- (i) It was noted that the Regulations of Belize were working towards the inclusion of requirements to comply with bio-security measures.
- (ii) Belize legislation does not exempt the need for a permit no matter the purpose. In addition, it was enquired whether consideration was applied to the area of genetically modified organism when looking at the field of scientific research, especially in fish. It was noted that the Parent Law of Belize have provisions to develop Regulations in this area.
- (iii) It was indicated that all species required an import permit and based on the risk assessment conducted, the permit would be accompanied by notes to identify the requirements and protocols that must be fulfilled.
- (iv) Content of Regulations 28 "Surveillance Obligations", was presented as "Notification Obligations" under the Laws of Belize.
- (v) On the matter of "Compliance" Part 5 - Section 45: subsection 10, it was suggested that reference to "a person accompanying an inspector" be replaced with "authorized or designated officer accompanying an inspector".

CARICOM Secretariat

- (i) In reference to Regulations 5, it was noted that the text did not provide clarity on the separate roles to be undertaken in relation to - (a) the licensing process; (ii) proof of license; and (iii) proof of certificate of registration. Also noticed was the lack of consistent language between Regulations 5 paragraph (1A and 1B) and (9).
- (ii) Regarding Regulation 17 "Creating Offences" it was noted that the addition of penalty provisions was accurate. However, it was advised that structurally there were some Member States who outlined a general penalties area in their documents but the usual practice was to follow each offence with its own penalty. It was agreed that penalties in terms of time and money could be determined at the country level. Furthermore, it was directed that provision be created and left blank so that the respective countries could plug in the penalty information when a determination was made at the country level.

- (iii) Clarification was sought regarding Regulation 28 Paragraph 1(a) and 1(b) on whether follow up actions were to be carried out by the veterinary inspectors after notification.
- (iv) In relation to the Application provision (Regulation 3), it was noted that a negative list which identified the aspects not covered in the Regulations was provided. However, it was suggested that the inclusion of a purpose clause would assist the approach applied to the development of the Application clause and the negative list. It was also proposed that a sub paragraph connoting a general statement which outlined those elements covered in the Regulations preceded the negative list.
- (v) Consideration be applied to whether any of the offences contributed to vicarious liability. Creation of a sample note for draft instructors was offered in aid of the process for this particular aspect.

CRFM Secretariat

- (i) There was a realism of mariculture which dealt with aquaculture for plants however it appeared as though aquaculture in this instance referred to only animals. Hence, enquiry was made to whether mariculture was being dealt with under these aspects of the Regulations.
- (ii) It was thought useful to have an exception in relation to animals for scientific research purposes.
- (iii) Farm area be defined to reflect marine coastal spaces as this could provide the coverage required.
- (iv) Any position which implied that welfare requirements for aquaculture organisms/animals be less than those for other animals be revisited and addressed.
- (v) It was noted that Sections 20 and 21 addressed transport within particular jurisdictions but not across national borders, hence it was proposed that these areas be reviewed to ensure the adequacy of the text provided in these sections.
- (vi) Section 35 be revisited since it appeared deficient with respect to the requirements set out therein.
- (vii) Closed or free zones in marine space be considered.
- (viii) General provisions applicable if not specific rules to marine space be provided.
- (ix) Baltic Sea regulatory approaches (under the Helsinki Convention) could be reviewed given that the management regime applied to the Baltic area was similar to what the Caribbean Region was trying to accomplished especially as it related to environmental matters.
- (x) Wider provisions be developed that indicated the maintenance of data and submission of reports, since it was assumed that there was a lack of record keeping and reporting to monitor the activities of these establishments.

Dominica

- (i) It was reminded that in aquaculture production, veterinary drugs in terms of controlling disease was used therefore veterinary services were integral for supervision.
- (ii) Two clear operations for surveillance and notification be reflected.
- (iii) Schedule 4 "Listing of Diseases", it was suggested that there is a provision of text which reflected the origin of the listing, for example, the OIE, as well as, the provision of text which would allow amendment to the listing at the national level as required.

Jamaica

- (i) Scope should be sufficiently broad to protect the health, viability and profitability of an aquaculture establishment. It was reminded that the Bill was to protect the health of aquatic animals in an aquaculture establishment.

- (ii) In relation to Regulation 19, it was noted that most aquatic animals were quarantined at a facility and not a government quarantined station. As a result, it was enquired whether the Regulations defined what a quarantined station was or contained and/or stipulated a standard for the facility.
- (iii) Regarding Part 35 1(b) which authorizes a veterinary inspector to designate an area as a provisional affected zone, it was explained that this was really the authority of the CVO and not the Veterinary Inspector. Essentially, the suggested role of the Veterinary Inspector was to carry out the investigation and report to the CVO who would then make the order if it is required.
- (iv) The Office of the Competent Authority was preferred to the identification of an individual authority such as the Chief or Senior Veterinary Officer since it was perceived to represent a better system of governance. It was noted that oftentimes reference to a particular position as opposed to the authority of an office was viewed as too much power at the disposal of an individual.
- (v) Residual monitoring in terms of antibiotics be considered in the development of Regulations.
- (vi) It was advised that fish which was imported for human consumption be included in the section regarding the importation of carcasses and offal.
- (vii) Some aspect of monitoring should be included in Regulations not only for the purpose of surveillance of diseases, but for the use of prohibited chemicals, for example, a residue monitoring programme which monitors contaminants. It was reminded that monitoring programmes were totally different from surveillance programmes.

Suriname

- (i) Draft Aquaculture Act and Aquatic Health Regulations of Suriname be reviewed to fill any gaps in terms of definitions.

Consultant's responses

- (i) The focus of the provisions in the Regulation was mainly on land based operations. Initial consideration was applied to separating out the approach to reflect matters of sea and land based. Hence, these matters will be re-visited to determine if additional measures were needed for sea based operations; certain specific powers in relation to water (e.g. creation of barriers) were included, however.
- (ii) Consultant noted that penalties needed to be determined at the national level, along with determinations about use of fixed penalties.
- (iii) The aspect of quarantine facilities would be reviewed.
- (iv) It was agreed that the welfare of farmed fish could be expanded, including in relation to transport; these might be the focus of technical standards.
- (v) Provision of additional powers to show how the Competent Authority would carry out their surveillance obligations would be considered.
- (vi) Text be structured to reflect that Veterinary Inspector possessed the authority to designate a provisional effected zone and immediately inform the CVO of this decision, of which, the CVO would review within twenty-four hours and re-designate the area if so required.
- (vii) In principle, all the provisions applied intended to include in its scope marine spaces. However, additional elements in relation to a demarcated area must be identified.
- (viii) Consultant suggested that there was need for a customization option for the reflection of notifiable diseases.

7.0 PRESENTATION OF CONSULTATION AND COMMUNICATION TOOLS

- 7.1 Mr. Hedley introduced the relationship between the various products, including the legislation itself and the consultation and communication packages. These were identified as follows:
- (i) Product package comprising four (4) groups of documents/tools, namely, legislation based on CARICOM Model Bills; Implementation tools inclusive of explanatory as well as annotated notes and a national consultation package; regional consultation tools; and communication tools; and
 - (ii) Legislative package including an Aquatic Bill (name was yet to be determined); Regulations for Fish Inspections and Aquatic Animal Health; and Technical Protocols.
- 7.2 It was noted that the consultation materials and legislation had been developed based on best practices with respect to regulatory principles as well as the consultation criteria (e.g. taking account of guidance used by the United Kingdom (UK) Cabinet Office and other countries, including Canada and Australia).

8.0 CONCLUSIONS AND WAY FORWARD

- 8.1 In conclusion, Mr. Hedley provided the next steps of the process as follows:
- (a) Receipt of immediate comments on available sections of draft legislation (regulations) and other documents by participants through email transmission;
 - (b) Draft regulations amended taking into account the comments and recommendation provided by CARIFORUM countries;
 - (c) Circulation of revised draft regulations, zero draft of required Expanded Fisheries Bill and other documents for comments by CARIFORUM countries; and
 - (d) Submission of finalized draft legislation and other documents by Consultant for final review and consideration for remote validation by CARIFORUM countries.
- 8.2 Dr. Susan Singh-Renton, Deputy Executive Director, CRFM Secretariat, advised that the schedule of the consultants for delivery of project outputs had been adjusted. In addition, the need to ensure adequacy of the existing model primary legislation was promoted. It was deemed critical that a certain level of analysis be achieved with respect to the guidance documents.
- 8.3 It was recalled that the CRFM in conjunction with IICA had developed a model export Bill in 2015 and accompanying Fish Hygiene Regulations as well as eight protocols mainly geared towards exports. In 2016, a Food Safety Bill, Plant Protection Bill and Animal Health Bill were developed.
- 8.4 Also highlighted was the need to make the required linkages between the specific Regulations and the provisions within the primary legislation. Once that analysis was obtained, this would assist with the identification of provisions that had been omitted. Dr Singh-Renton proceeded to go through the adjusted schedule for submission of deliverables by the Consultant and the input of CARIFORUM States to the process as well as the corresponding deadlines.
- 8.5 Notably, validation of the documents was not accomplished by the Workshop since a complete set of documents was not obtained. Therefore, it was expected that countries would indicate sometime in February 2017 whether they would be in a position to validate the documents. If remote validation would be acceptable, consideration would be given to the circulation of a form which would enable countries to indicate that the legislative documents were validated.

9.0 CLOSING REMARKS

- 9.1 Mr. Milton Haughton, Executive Director, CRFM Secretariat acknowledged the useful dialogue and progress achieved during the workshop and extended immense gratitude to participants for their input and commitment to ensuring that improved legislative instruments were attained. Furthermore, the instruments were considered as critical to the future of the fisheries sector and it was anticipated that the process of repositioning the sector could lead to greater and enhanced economic and social benefits for the region.
- 9.2 In addition, the established deadline of March 27, 2017 for the completion and submission of all deliverables including administrative and technical responsibilities under the SPS Project was reinforced. However, it was reminded that despite having reached the conclusion of the project, the work on taking the instruments forward to be approved at the national level as well as matters of implementation must be fervently pursued.
- 9.3 In closing, the contributions of the European Union, Inter-American Institute for Cooperation on Agriculture; Global Centre for International Law; the Government of Barbados; and background workers were acknowledged.
- 9.4 Dr. Janet Lawrence, SPS Project Manager, first expressed gratitude to the participants on behalf of IICA, Country Office, Barbados, for their contribution to the legislative component of SPS project. Dr. Lawrence accentuated that success to move the process forward could only be achieved with the necessary support and endorsement of countries. Therefore she anticipated that the required drive and momentum be continued to advance the process.
- 9.5 Joyce Leslie, Deputy Chief Fisheries Officer, MAFFW extended gratitude to participants for their attendance at the Workshop and expressed well wishes for the imminent New Year 2017.

APPENDIX 1 TO ANNEX B(3): BACKGROUND NOTE

Regional Validation Workshop for Model Legislation, Protocol and Guidelines for Health and Food Safety related to Fisheries and Aquaculture in CARIFORUM States Barbados, 14 — 15 December 2016

1. Introduction

The continued viability and further development of the fishing industry of the Caribbean Regional Fisheries Mechanism (CRFM) region face several challenges, some of which are related to inadequate development of SPS systems to suit the specific needs of fisheries and aquaculture operations. Of particular importance to note are:

- barriers in trade of fish and fisheries products due to inadequate SPS standards;
- minimal legislative standards for aquaculture;
- concern about food security and decreasing usage of local, fresh seafood, the solution for which improved SPS support is an essential component;
- impacts of global environmental changes including climate change, for which improved management and monitoring of the natural environment sustaining fisheries and aquaculture production must play a vital part.

The Caribbean Community Common Fisheries Policy includes several provisions addressing SPS in fisheries including 3 of the 9 objectives (Article 4.3(b) (g) and (i)), and Article 18 on Marketing and Trade.

Towards addressing the challenges noted, CRFM's Strategic Plan for the period 2013 - 2021 enunciated the need for SPS requirements under the Strategic Objective, 'Sustainable Management and Use of Fisheries Resources'.

The programme on Sanitary and Phytosanitary Measures (SPS) is one component of the 10th EDF Programme titled "Support to the Forum of Caribbean States in the implementation of the commitments undertaken under the Economic Partnership Agreement (EPA)", and is executed by the Inter-American Institute for Cooperation on Agriculture (IICA), with the fisheries sub-component being coordinated by the CRFM.

The overall objective of the 10th EDF Programme is to support the beneficial integration of the CARIFORUM states into the world economy and the overall objective of the SPS programme is to facilitate CARIFORUM States to gain and improve market access by complying with Europe's Sanitary and Phytosanitary (SPS) measures and to help CARIFORUM states to better develop their own regionally harmonized SPS measures.

The purpose of this assignment is to take forward the work of the earlier project *Technical support to develop model legislation, protocols, guidelines for health and food safety related to fisheries and aquaculture in CARIFORUM States*, also under the 10th EDF Programme "Support to the Forum of Caribbean States in the implementation of the commitments undertaken under the Economic Partnership Agreement (EPA): Sanitary and Phytosanitary (SPS) Measures". The current assignment will complete the work on model legislation; including development of an extended Model Fisheries SPS Act, Model Regulations and Model (Regulatory) Protocols. In addition, implementation and consultation guidance will be developed for regional and national level consultations, as well as communication and evaluation tools.

At this Regional Validation Workshop the consultants will present (i) the model legislation (Regulations and Protocols); (ii) the regional and national consultation packages; and (iii) the communication and impact assessment tools. CARIFORUM State representatives at this workshop will be asked to review and endorse the final documents to facilitate CRFM approval and recommendation to COTED and other CARICOM bodies.

2. Objective

Specifically, the objectives of the workshop are to:

- review the outputs of the present consultancy and provide inputs to inform finalization of the documents
- endorse the final documents (subject to further review) to facilitate CRFM approval and subsequent recommendation to COTED and other CARICOM and/or CARIFORUM bodies

3. Expected Output

The expected outputs from the Workshop will be validation and endorsement of:

- Model Fisheries SPS Act
- Model Fisheries SPS Regulations and Regulatory Protocols
- Model National and Regional Consultation Packages
- Communications Package and Impact Assessment Tool

4. Structure of the Workshop

- The Workshop will be held 14 - 15 December 2016. The agenda is attached with this email.
- The workshop format will include both plenary sessions and break-out groups. For break-out sessions, each group will be required to elect a chairperson, and rapporteur, and determine who would present to plenary on behalf of the group.

5. Workshop organization:

- Tea / coffee will be provided during the Workshop in the morning and afternoon sessions.
- Lunch will be provided to Participants on the days of the Workshop.
- The Workshop will be conducted in English.
- The Project Team's contact person for workshop administrative support is:

Project Team

Karen Sherman

E: ksherman@gc-intlaw.org T: (44) 7876-560712

6. Workshop Venue

- The Workshop will be held at the Accra Beach Resort (Rockley Beach, Christ Church, Barbados, T: (246) 435-8920, E: reservations@accrabeachhotel.com). The venue is a 2-minute walk from the Blue Horizon Hotel.
- On entering the Accra Beach Resort signs will indicate the location of the conference room.

7. Travel arrangements

PARTICIPANTS FUNDED BY THE WORKSHOP ONLY

- An airport pick-up and drop-off service has been arranged. The transport service provider is Facilitators Unlimited Inc (FUI). On arrival, participants are asked to look out for the driver holding the CRFM Workshop sign after clearing customs and exiting the airport, and to make sure to use this service. *For departure, participants assisted by this service are asked to liaise with Workshop Administration well before departure to confirm pickup time from hotel to airport.*

- In the case of any unforeseen circumstances with the transportation service provider- contact the drivers Michael and/or Wayne at: (246) 241-2969/ 434-1111/ 266-2684.
- 8. Accommodation arrangements**
- Participants are being accommodated at the **Blue Horizon Hotel** (Rockley Beach, Christ Church, Barbados, T: (246) 435-9473, E: reservations@gemsbarbados.com).
 - On arrival at the hotel, please check in stating your attendance at the Regional Validation Workshop. The Blue Horizon Hotel has a complete list of all guests registered for the event.
 - The Project Team will pay the hotel directly for accommodation, taxes and continental breakfast.
- 9. Other Allowances**
- A subsistence allowance of US\$70.00 per day in Barbados will be paid to participants to cover an evening meal and incidental expenses incurred during the Workshop period.
 - Up to 6 local participants from Barbados will be provided with lunch and refreshments for the two days of the Workshop.
 - No other allowances are payable. Eligible allowances will be paid in cash to each participant during registration on the first day of the Workshop, upon submission of a completed registration form, and accompanied by all inbound boarding passes.
- 10. Liability, Insurance and Security**
- Participants are responsible for ensuring their own travel insurance. Neither CRFM nor the Global Centre for International Law / Project Team is liable in the event of any emergencies, accidents, medical problems or other difficulties.
 - Participants should exercise due care and attention to their surroundings to ensure that their safety is maintained throughout their stay.
 - The hotel normally has security on and around the property.
 - Participants should check their rooms to ensure that sufficient safety facilities are available and properly functioning (door locks, door chains, telephone, windows, etc.).
 - Be wary of people hanging around outside the hotel.
 - If you notice anything / anyone suspicious, you are asked to kindly notify the hotel, and advise the Project Team Contact who will be available during the Workshop.
- 11. Documents**

Participants will be provided with a USB drive with the workshop documents. No printed copies will be provided at the Workshop.

APPENDIX 2 TO ANNEX B(3): LIST OF PARTICIPANTS

COUNTRY	PARTICIPANTS' NAMES	DESIGNATION, ORGANIZATION & EMAIL CONTACT
Antigua & Barbuda	Mr. Ian Horsford	Senior Fisheries Officer Fisheries Division Antigua & Barbuda Email: ihorsford@gmail.com
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	Mr. Sherlock King	Manager Markets Ministry of Agriculture
	Ms. Michelle Wiggins	Bridgetown Public (Fish) Market QC Ministry of Agriculture
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	Mrs. Joyce Leslie	Deputy Chief Fisheries Officer Ministry of Agriculture
	Ms. Therese Moore	Data Collector Ministry of Agriculture
	Ms. Cathy Ann Marshall	Environmental Health Department Ministry of Health
	Ms. Melonie Blackman	Environmental Health Department Ministry of Health
	Ms. Margaret Campbell-Leslie	Division of Commerce and Consumer Affairs Ministry of Commerce
	Dr. Terence Mayers	Veterinary Service Ministry of Agriculture
	Mr. Leonard King	Project Coordinator AHFCP Ministry of Agriculture
	Mr. Gregory Payne	Manager Bridgetown Public (Fish) Market Ministry of Agriculture
	Mr. Colvin Taylor	Fisheries Assistant Ministry of Agriculture
	Mr. Fabian Scott	Barbados National Standards Institution (BNSI) Ministry of Commerce

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CRFM Secretariat	Mr. Milton Haughton	Executive Director CRFM Secretariat

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EU Delegation		
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IICA	Ena Harvey	IICA Representative, Barbados & Management Coordinator – Caribbean Region
EU Delegation	Ms. Katja Svensson	Programme Manager Delegation of the European Union to

		Barbados, the Eastern Caribbean States, the OECS and CARICOM/CARIFORUM
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GCIL	Ms Dale Forde	
GCIL	Ms. Sophia Grimes	
GCIL	Mr. Bernard Cumberbatch	

ANNEX C: MODEL LEGISLATION, PROTOCOL AND GUIDELINES

This annex, which contains the following stand-alone deliverables, is published as a separate document (CRFM Special Publication No. 19):

- Aquatic Animals and Aquatic Products Hygiene Bill;
- Fish Hygiene Licensing and Inspection Regulations [2017];
- Aquatic Animal Health Regulation [2017]; and
- Annotated Explanatory Notes

ANNEX D: NATIONAL CONSULTATION STRATEGY AND PACKAGE

This annex is published as a separate document (CRFM Special Publication No. 20).

ANNEX E: REGIONAL CONSULTATION STRATEGY AND PACKAGE

This annex is published as a separate document (CRFM Special Publication No. 21).

ANNEX F: COMMUNICATIONS MATERIALS



Promoting Safe Caribbean Seafood through Stronger Legislation

Aquatic Animal Health



Programme funded by the European Union and implemented by IICA and CRFM

Promoting Safe Caribbean Seafood through Stronger Legislation: Aquatic Animal Health

A factsheet for fisheries and aquaculture stakeholders and the food industry

CARICOM Members are seeking to strengthen seafood standards throughout the region in order to improve their ability to export Caribbean seafood products to lucrative international markets. A key component of this strategy is the development of CARICOM-wide model legislation on agricultural health and food safety in the fisheries sector. This factsheet outlines the key developments being proposed, focusing on the aquatic animal health regulations.

What is being done?

CARICOM is currently considering model legislation covering food safety, animal health and plant health including model legislation specifically aimed at the fisheries and aquaculture sector. The legislation will set the framework for agricultural health and food safety across all sectors, and will include specific legislation dealing with animal health controls in the aquaculture (and related) sectors. Additional legislation will regulate how harvesting operations for food must be conducted on board fishing vessels, and the requirements for the design and operation of fishing vessels.

Why are these new laws necessary?

The fisheries and aquaculture sectors are an important driver for employment, contribute to food security and to export earnings. Aquaculture is also a growing sector with opportunities for development. While it is an important part of the sector, currently only a small proportion of fish products is exported to the lucrative markets of North America, Europe and, increasingly, Asia and Latin America. Similar to the challenges faced in other regions, the maintaining and growing access to these international markets raises significant challenges.

The regulatory requirements imposed on export markets are in continual development, driven by changing SPS risks (including as a result of environmental and climate impacts); increasing knowledge about SPS risks; increasing technological advances both in relation to detection and management; increasing food safety awareness amongst consumers; and moving regulatory requirements (in particular, that more and more countries are extending their application of international AHFS standards).

To maintain and develop export markets for fisheries and other aquatic products in the long-term, it is imperative that the proper legal foundations are laid.

Who will be affected by the new laws?

The model legislation will guide fisheries and aquaculture stakeholders in the Caribbean. It will be for each country to decide whether and how to follow the model legislation, depending on what already exists in national legislation and on national policy goals. Each country will undergo a consultation exercise with stakeholders before introducing any new legislation.

Once implemented, it is expected that the new regulations will apply to anyone involved in fisheries, aquaculture or mariculture, or dealing with fish or other aquatic products in food businesses. This will include: fishing vessel owners and crew, aquaculture business operators and their staff; food business operators and their staff; food handlers; transporters of fish and aquatic products, etc.

What are the main points of the model legislation?

The main purpose of the model legislation, which has been developed in consultation and communication with policymakers, fisherfolk, processors and other industry players, is to lay down a general framework for food safety, animal health and plant health including in the fisheries sector. The laws will define the competent authorities in each country and will provide for a system of monitoring and control over agricultural and food operations, including fisheries and aquaculture.

The legislation is intended to define an integrated regulatory approach to implementing international standards in a manner that is capable of delivering:

- high standards of national food safety, animal and plant health for fisheries and aquaculture;
- compliance or equivalence with the requirements of international export markets;
- a harmonized approach that will facilitate intra-regional trade; and
- efficient regulatory controls, which ensures food safety / SPS compliance while enabling operators to work in a competitive environment, without unnecessary regulatory, administrative and technical burdens.

New animal health requirements for aquaculture establishments and handlers of aquatic products

Specific implementing regulations have been developed for aquatic animal health management and control: these are the model *Aquatic Animal Health Regulations*. The model Regulations aim to ensure that all business establishments handling live fish meet international standards on animal health.

The legislation sets out requirements for aquaculture establishments which are based on

international standards, principally the OIE *Aquatic Animal Health Code*.

Key features of the new legislation (which would be subject to amendments at the national level aimed at tailoring the requirements to national needs) include—

- a requirement for anyone operating an aquaculture establishment (i.e. an aquaculture producer or a food business processing aquaculture products) to register and to operate their business in accordance with certain requirements and conditions
- standard conditions of registration, including requirements to keep certain records, implement good hygiene practice and comply with surveillance requirements
- more basic requirements for non-commercial facilities dealing with aquatic animals
- various regulations relating to production, marketing, imports and exports, designed to add to general animal health rules dealing with these matters
- a requirement on business operators and other persons to monitor for disease presence and to make certain notifications if disease are suspected, or increased mortality is observed.

The Regulations specify requirements designed to ensure that potential outbreaks of disease can be monitored and identified. Key responsibilities rest on aquaculture establishments to monitor their stocks and report any abnormal observations.

- powers of the competent authority to take action where a disease outbreak is suspected, including the establishment of disease management zones and restrictions on the movement of animals
- powers to designate certain other areas as free from disease and corresponding powers to restrict the movement of animals into these zones without a permit in order to protect the disease free status
- official controls by the competent authority, supported by the fisheries department, aimed at meeting international requirements on control and enforcement.

For more information and to keep up-to-date, visit

www.crfm.int



Promoting Safe Caribbean Seafood through Stronger Legislation

Fishery Product Safety



Programme funded by the European Union and implemented by IICA and CRFM

Promoting Safe Caribbean Seafood through Stronger Legislation: Fishery Product Safety

A factsheet for fisheries stakeholders and the food industry

CARICOM Members are seeking to strengthen seafood standards throughout the region in order to improve their ability to export Caribbean seafood products to lucrative international markets. A key component of this strategy is the development of CARICOM-wide model legislation on agricultural health and food safety in the fisheries sector. This factsheet outlines the key developments being proposed.

What is being done?

CARICOM is currently considering model legislation covering food safety, animal health and plant health including model legislation specifically aimed at the fisheries sector. The legislation will set the framework for agricultural health and food safety across all sectors, and will regulate how harvesting operations for food must be conducted on board fishing vessels, and the requirements for the design and operation of fishing vessels. Additional legislation will set out animal health requirements applicable to aquaculture establishments.

Why are these new laws necessary?

The fisheries sector is an important driver for employment, contributes to food security and to export earnings. While it is an important part of the sector, currently only a small proportion of catches is exported to the lucrative markets of North America, Europe and, increasingly, Asia and Latin America. Similar to the challenges faced in other regions, the maintaining and growing access to these international markets raises significant challenges.

The regulatory requirements imposed on export markets are in continual development, driven by changing SPS risks (including as a result of environmental and climate impacts); increasing knowledge about SPS risks; increasing technological advances both in relation to detection and management; increasing food safety awareness amongst consumers; and moving regulatory requirements (in particular, that more and more countries are extending their application of international AHFS standards).

To maintain and develop export markets for fisheries and other aquatic products in the long-term, it is imperative that the proper legal foundations are laid.

Who will be affected by the new laws?

The model legislation will guide fisheries stakeholders in the Caribbean. It will be for each country to decide whether and how to follow the model legislation, depending on what already exists in national legislation and on national policy goals. Each country will undergo a consultation exercise with stakeholders before introducing any new legislation.

Once implemented, it is expected that the new regulations will apply to anyone involved in fisheries, aquaculture or mariculture, or dealing with fish or other aquatic products in food businesses. This will include: fishing vessel owners and crew, aquaculture business operators and their staff; food business operators and their staff; food handlers; transporters of fish and aquatic products, etc.

What are the main points of the model legislation?

The main purpose of the model legislation, which has been developed in consultation and communication with policymakers, fisherfolk, processors and other industry players, is to lay down a general framework for food safety, animal health and plant health including in the fisheries sector. The laws will define the competent authorities in each country and will provide for a system of monitoring and control over agricultural and food operations, including fisheries.

The legislation is intended to define an integrated regulatory approach to implementing international standards in a manner that is capable of delivering:

- high standards of national food safety, animal and plant health for fisheries and aquaculture;
- compliance or equivalence with the requirements of international export markets;
- a harmonized approach that will facilitate intra-regional trade; and
- efficient regulatory controls, which ensures food safety / SPS compliance while enabling operators to work in a competitive environment, without unnecessary regulatory, administrative and technical burdens.

New food safety rules for fishing vessels

Specific implementing regulations have been developed for the fisheries sector: these are model regulations concerning *Fish Hygiene Licensing and Inspection*. The model Regulations aim to ensure that all fishing vessels producing fish for human consumption meet certain minimum requirements to ensure food safety.

The legislation sets out requirements for fishing vessels which are based on international standards such as **CODEX**: CAC/RPC-1-1969: *General Principles of Food Hygiene* and *Codex Code of Practice for Fish and Fisheries Products*; **CROSQ**: CRCP 5/2010: *Code of Practice for Food Hygiene - General Principles*.

Key features of the new legislation (which would be subject to amendments at the national level aimed at tailoring the requirements to national needs) include—

- a power for the Minister to classify certain types or classes of fishing vessel; particular fisheries or fishing areas; particular types or classes of licence; or fishing for particular purposes, including export, as “prescribed vessels” subject to the licensing requirements;
- specific procedures for the licensing of “prescribed vessels” for these purposes, making it clear how an application is to be made, what information needs to be provided and how the government will make a decision.

The Regulations specify detailed requirements concerning the design and construction of fishing vessels, the use and management of water, etc. which an applicant must show he/she can meet before a licence will be issued. The Regulations specify the materials which must accompany an application, including HACCP plan and a plan of the layout of the vessel, the equipment used and the product flow.

- control mechanisms designed to ensure that fishing vessels are operated in accordance with their licence and other food safety requirements
- a framework for providing industry standard food safety controls

The legislation confirms the primary responsibility of fishing vessel operators for ensuring the safety of food operations conducted on their vessels and sets out the fundamental framework for food safety, based on HACCP and other industry standards.

- basic requirements for including fishing vessels in the national food traceability system (by allocating to fishing vessels a “food business identification number”)
- official controls by the competent authority, supported by the fisheries department, aimed at meeting international requirements on control and enforcement.

For more information and to keep up-to-date, visit

www.crfm.int

PRESS RELEASE

FOR IMMEDIATE

New 'safe seafood' laws, export rules being readied

BRIDGETOWN, Barbados, 13 December 2016 (CRFM)—The fisheries industry on Wednesday moves one step closer to making the Caribbean fish and seafood trade safer and more profitable when experts meet in Barbados to finalise a raft of model regional laws, policies and procedures.

The Caribbean region's ability to cash in on a potentially lucrative, international export trade in fish and seafood – already worth 315 million US dollars a year – is being held back by gaps in sanitary and phytosanitary (SPS) standards, the Caribbean Regional Fisheries Mechanism (CRFM) said.

But the experts, who are wrapping up an 18-month-long project to investigate fish handling policies and design a new seafood safety regime for the region's fish and fishery products, are set to introduce a new regime for SPS measures in CARIFORUM states.

"The continued viability and further development of the fishing industry of the CRFM region face several challenges, some of which are related to inadequate development of SPS systems to suit the specific needs of fisheries and aquaculture operations," said CRFM Executive Director Milton Haughton ahead of the two-day meeting.

Haughton said the experts are meeting to bring forward work begun a year ago on preparing model legislation.

The meeting will unveil model fisheries and aquaculture SPS legislation that is to be presented to CARICOM with the intention of being enacted in each exporting nation. The model legislation has been developed in consultation and communication with policymakers, fisherfolk, processors and other industry players.

Compliance with globally established SPS standards is voluntary – a worrisome development that experts say is stopping member states from tapping into niche markets overseas and boosting foreign exchange earnings.

Investigations by international consultants on the project exposed large gaps in legally binding protocols managing food safety throughout the region.

The experts found barriers to trade of fish and fisheries products due to inadequate SPS standards; minimal legislative standards for aquaculture; concern about food security and decreasing use of local, fresh seafood – the solution for which improved SPS support is an essential component, the CRFM said.

With the impact of global environmental changes including climate change on the Caribbean, the regional fisheries agency said there is need for improved management and monitoring of the natural environment that sustains fisheries and aquaculture production.

The meeting is to be streamed live daily for regional media, industry figures, officials and anyone interested in fisheries and the safety and health of fish and seafood in the region, the CRFM said. The proceedings may be followed on the CRFM's YouTube channel, youtube.com/TheCRFM.

Government officials from each CRFM member state are to review and endorse the final documents to allow final approval. These will then be recommended to CARICOM's Council for Trade Economic Development (COTED), the regional bloc's forum of trade ministers, as well as other CARICOM bodies.

The two-day meeting is the high point of a European Union-funded project to help CARIFORUM countries introduce laws, regulations and a governance system to guarantee safe seafood for export to EU markets and beyond.

The project, which is being carried out by the Belize-based CRFM and supported by the Inter-American Institute for Cooperation in Agriculture (IICA), aims to ramp up food safety standards to enable CARIFORUM fish exporters to take up trading opportunities under the EU Economic Partnership Agreement (EPA). The project is financed under the EU's 10th European Development Fund (EDF) Sanitary and Phytosanitary Measures Project.

----- End of Release-----



The Belize Agricultural Health Authority (BAHA) is one agency from CRFM Member States which helps to ensure SPS compliance for fisheries exports from Belize. (Credit: BAHA)



NOTE TO EDITORS:

Media in Barbados: Representatives are invited to cover the opening and plenary sessions at the Accra Beach Hotel, Hastings, beginning daily at 0900.

International Media: Reporters and broadcasters are invited to access the live stream of the proceedings daily from 0900 (Barbados), 0700 (Belize), 0800 (Jamaica), 1300 (GMT)

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Facebook: <http://www.facebook.com/CarFisheries> and
Twitter: <https://twitter.com/CaribFisheries>

ABOUT THE CRFM:

The [Caribbean Regional Fisheries Mechanism](#) (CRFM) was officially inaugurated on 27 March 2003 in Belize City, Belize, where it is headquartered, following the signing of the “Agreement Establishing the CRFM” on February 4, 2002. It is an inter-governmental organization whose mission is “to promote and facilitate the responsible utilization of the region's fisheries and other aquatic resources for the economic and social benefits of the current and future population of the region.”

PRESS RELEASE

FOR IMMEDIATE

Experts make 'slow, steady progress' on safe seafood policies

BRIDGETOWN, Barbados, 16 December 2016 (CRFM)— There is still a long way to go but experts meeting here Thursday expressed optimism that slow but steady progress was being made toward introducing region-wide laws, rules and regulations intended to make Caribbean fish and seafood not only ready for world trade but safe for Caribbean tables.

The experts, drawn from fisheries, legal affairs, food health and safety and standards agencies across ten countries in the Caribbean Forum of ACP States (CARIFORUM), ended two days of deliberations on model legislation, protocols and guidelines for health and food safety related to fisheries and aquaculture.

"Still a long way to go but making progress," said Executive Director of the Caribbean Regional Fisheries Mechanism (CRFM) Milton Haughton at the workshop at the Accra Beach Hotel.

Haughton said that following the workshop the draft model legislation is to be reviewed, and followed by another round of consultations held with stakeholders and a legal team before it can be finalized and submitted to regional policy-makers for consideration.

While not offering a timeline for the implementation of the legislation he stressed that improved standards and systems for sanitary and phytosanitary standards (SPS) in fisheries are critical to the region socially and economically.

"We will reap good economic benefits when we have stronger systems that will assure, just not the safety but the quality of the products that we want to export. We will be able to access markets, international markets that we are not now able to access", Haughton said.

The CRFM said the region's export trade in fish and seafood trade earns about 315 million US dollars annually – a business that could boom or bust depending on how the region meets the global challenge of SPS standards.

British legal expert Chris Hedley, the project's lead consultant, said the greatest challenge in drafting the legislation was making it nimble enough to adapt to rules and regulations which are frequently changing in the European Union.

Hedley cautioned that the United Kingdom following Brexit may soon be introducing its own standards as well.

"It is about trying to identify what things change all the time and try to make sure there is a flexible methodology as it were for updating those and making sure we make it as user friendly as possible for the government trying to implement these rules," Hedley said.

After final consultation and approval by the Belize-based CRFM, the region's fisheries agency, the model laws and policies will then be recommended to CARICOM's Council for Trade Economic Development (COTED), the regional bloc's forum of trade ministers, as well as other CARICOM bodies.

The model fisheries and aquaculture SPS legislation would have to be enacted in each exporting nation. During the 18-month-old project, the model legislation has been developed in consultation with policymakers, fisherfolk, processors and other industry players.

Experts said the countdown is on towards the end of voluntary compliance with EU food safety standards, considered among the toughest in the world. Failure to meet EU standards would block CARIFORUM countries from tapping into niche markets overseas and boosting foreign exchange earnings, they stressed.

Investigations by the consultants on the project have exposed large gaps in legally binding protocols managing food safety throughout the region.

The experts found barriers to trade of fish and fisheries products due to inadequate SPS standards; minimal legislative standards for aquaculture; concern about food security and decreasing use of local, fresh seafood – the solution for which improved SPS support is an essential component, the CRFM said.

The two-day meeting was the high point of a European Union-funded project to help CARIFORUM countries introduce laws, regulations and a governance system to guarantee safe seafood for export to EU markets and beyond.

The project, which is being carried out by the Belize-based CRFM and supported by the Inter-American Institute for Cooperation in Agriculture (IICA), aims to ramp up food safety standards to enable CARIFORUM fish exporters to take up trading opportunities under the EU Economic Partnership Agreement (EPA). The project is financed under the EU's 10th European Development Fund (EDF) Sanitary and Phytosanitary Measures Project.
(ENDS)

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E-mail: milton.haughton@crfm.int

CRFM social media links:

You Tube: <http://www.youtube.com/user/TheCRFM>
Facebook: <http://www.facebook.com/CarFisheries> and
Twitter: <https://twitter.com/CaribFisheries>

ABOUT THE CRFM:

The [Caribbean Regional Fisheries Mechanism](#) (CRFM) was officially inaugurated on 27 March 2003 in Belize City, Belize, where it is headquartered, following the signing of the “Agreement Establishing the CRFM” on February 4, 2002. It is an inter-governmental organization whose mission is “to promote and facilitate the responsible utilization of the region's fisheries and other aquatic resources for the economic and social benefits of the current and future population of the region.”

Live Streaming of the Regional Workshop, 14-14 December 2016
Archived on the CRFM YouTube channel: <https://www.youtube.com/user/TheCRFM>

TheCRFM Caribbean Regional Fisheries Mechanism

 30

The Caribbean Regional Fisheries Mechanism (CRFM) was officially inaugurated on 27 March 2003, in Belize City, Belize, where it is headqu... Show more

Uploads



TheCRFM Live Stream: Safe Seafood - SPS Model Legislation...
35 views • Streamed 2 months ago



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TheCRFM Live Stream: Safe Seafood - SPS Model Legislation...
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Opening Ceremony: Safe Seafood - SPS Model Legislation...
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ANNEX G: IMPACT ASSESSMENT PACKAGE

IMPACT ASSESSMENT PACKAGE

INTRODUCTION

This document contains some impact assessment tools (self-assessment questionnaires) designed to monitor and evaluate the impact of on-going efforts to strengthen approaches to agricultural health and food safety (AHFS) measures in the Caribbean fisheries sector. The tools aim to establish a base line understanding of how fisheries SPS / AHFS matters are addressed from legal, policy, institutional and governance perspectives and to assess changes in knowledge, attitudes and practices over time.

Specifically, the tools are designed to:

- 1) Establish a baseline assessment of attitudes towards fisheries SPS / AHFS matters (legal, policy, institutional, governance). This is to identify the priority placed on fisheries SPS / AHFS within national policy processes (both fisheries policy and AHFS policies); to identify existing or proposed policy, strategic or planning processes applicable to fisheries SPS / AHFS matters; determine the current state of legal measures and controls and establish whether these meet the needs of industry; identify governance mechanisms, including how industry stakeholders are involved in policy making.
- 2) Re-evaluate the questions at future time intervals (e.g. 1-2 years) as a means to identify progress (or lack of) in strengthening legal, policy, institutional and governance mechanisms, with specific reference to the CARICOM model AHFS legislation, and to assess changes in knowledge, attitudes and practices towards fisheries SPS / AHFS matters.

The survey instruments are based on self-assessment approaches (i.e. questionnaires which stakeholders complete themselves), with one component directed at government stakeholders (mainly measuring government progress; i.e. how much success was achieved with implementing the package of tools developed in the project) and one – more general – component directed at industry / NGOs (what progress has been made; what is needed).

It is proposed that a single combined response is provided to each questionnaire by each country. The government questionnaire should be submitted to a designated focal point, but responses should be discussed and provided jointly with the key AHFS and fisheries agencies concerned. Similarly, the non-governmental questionnaire should be submitted to an industry representative organization in each country, who should be asked to coordinate with industry and other non-governmental stakeholders to provide a response. Where no consensus exists, this can be recorded in the questionnaire responses.

Two versions of each questionnaire are provided. The first is a simple questionnaire. The second is a comparative version. The document has been structured so that the original questionnaire responses for each responder can be transposed into the document as an aide memoire during the second survey. The second questionnaire is designed to identify changes, rather than repeat the first questionnaire. This will help identify the changes when the questionnaire responses are analyzed.

Four questionnaires are therefore provided:

Government 1: Initial questionnaire for government agencies.

Industry Stakeholder 2: Initial questionnaire for industry stakeholders.

Government 1A: Comparative questionnaire for government agencies

Industry Stakeholder 2A: Comparative questionnaire for industry stakeholders.

Questionnaire 1 [Government]

Part A General questions and observations
1. Describe the main fisheries, aquaculture or other resources produced for export
2. Describe the main fisheries / aquatic products that are exported (live / processed)
3. Describe the main challenges for the fisheries sector in AHFS/export, as seen from the government perspective
4. Describe the main challenges for the fisheries sector in AHFS/export, as seen from the stakeholder perspective

Part B | Access to export markets

5. To which countries are fisheries and aquaculture products exported?

Country	Main products	Quantities or values, if statistics available
EU		
USA		
[others]	[add rows if necessary: copy this row and paste a new row above or below]	

6. Are any new markets currently being explored? What are the challenges?

7. EU exports

1.1 Are exports to the EU permitted—

1.1.1 for any fisheries or other aquatic products (please specify)

1.1.2 for other agricultural products (please describe)

1.2 If EU exports are not permitted—

1.2.1 is there a specific plan or policy within government aimed at seeking access to EU markets for fisheries products

1.2.2 what is the level of stakeholder interest in access to EU markets (e.g. low / some / high)?

Part C | Policy and institutions

8. Is there a published national fisheries policy? If so, describe how AHFS/SPS and fisheries exports are prioritised within the policy?

9. Are there published national policies on food safety and agricultural health? If so, is the fisheries sector represented within the policy(ies) and to what extent? If not, why not?

10. What role does the fisheries department play in AHFS matters? What formal or informal mechanisms exist (e.g. legislation, MOUs, steering committees) for coordination with the fisheries department?

11. Is there any common vision or strategy shared with stakeholders on future policy for fisheries exports? If not, why not?

12. Infrastructural capacity: please indicate which of the following are present					
<ul style="list-style-type: none"> ▪ Animal health laboratory ▪ Accredited residue analytical laboratory ▪ Bureau of Standards <p>Comments:</p>					
13. Indicate participation in international agencies.					
CODEX	IAEA	OIE	IPPC	IICA	FAO
Yes/No	Yes/No	Yes/No	Yes/No	Yes/No	Yes/No
Part D Legislation					
14. Outline your legislation relating to SPS as it applies to fisheries. In the comment section indicate whether the legislation is considered current or outdated and what plans if any exist to amend the legislation.					
Fisheries Legislation	Law (title, year)				
	SPS measures / relevance				
	Comment				
Food Safety Legislation	Law (title, year)				
	SPS measures / relevance				
	Comment				
Animal Health Legislation	Law (title, year)				
	SPS measures / relevance				
	Comment				
Plant Health Legislation	Law (title, year)				
	SPS measures / relevance				

	Comment	
Other Legislation	Law (title, year)	
	SPS measures / relevance	
	Comment	
<p>15. Have any reviews, assessments, audits, inspections, etc. been carried out to determine whether the legislation is consistent with international / third country export requirements? If so, what were the results?</p>		
<div></div>		
<p>Part E Model legislation</p>		
<p>16. At the departmental level, is it considered likely that the model legislation will be utilised to upgrade national legislation? Please explain your answers.</p>		
Aquatic Animals and Aquatic Animal Products Hygiene		
Fish Hygiene Licensing and Inspection		
Aquatic Animal Health		
Food Safety		

Animal Health	
Plant Protection	
17. Has the model legislation been discussed at Ministerial or Cabinet level? If not, why not?	
Part F Other comments	
18. Please indicate any other relevant comments below.	

Questionnaire 2 [Industry stakeholders]

Part A General questions and observations		
1. Describe the main fisheries, aquaculture or other resources produced for export		
2. Describe the main fisheries / aquatic products that are exported (live / processed)		
3. Describe the main challenges for the fisheries sector in AHFS/export, as seen from the stakeholder perspective		
Part B Access to export markets		
4. To which countries are fisheries and aquaculture products exported?		
Country	Main products	Quantities or values, if statistics available
EU		
USA		
[others]	[add rows if necessary: copy this row and paste a new row above or below]	

5. Are any new markets currently being developed, explored or which industry would like to access? Please specify the activity and any challenges.
Part C Policy, institutions and legislation
6. Do national policies (fisheries, food safety, animal health, etc.) adequately address fisheries trade and SPS matters? If not, why not?
7. Is the industry stakeholder sufficiently involved in fisheries policy questions; is it adequately consulted by government? What changes could be proposed to improve your involvement?
8. Is there any common vision or strategy shared with stakeholders on future policy for fisheries exports? If not, what are the challenges?
9. Is the current legislation applying to fisheries exports up-to-date? Is it fit for purpose? Is it sufficiently manageable for industry? Please explain your answers
10. Is industry aware of the CARICOM model legislation on agricultural health and food safety (including model legislation for the fisheries sector)? What responses (if any) does industry have to the CARICOM model legislation?

Part D Other comments
11. Please indicate any other relevant comments below.

Questionnaire 1A [Government comparative]

ORIGINAL RESPONSES	UPDATED RESPONSES
[Replace column with table from original responses]	
Part A General questions and observations	Part A General questions and observations
1. Describe the main fisheries, aquaculture or other resources produced for export	Note any changes
2. Describe the main fisheries / aquatic products that are exported (live / processed)	Note any changes
3. Describe the main challenges for the fisheries sector in AHFS/export, as seen from the government perspective	Note any changes Note any steps which have been taken to address these challenges.

4. Describe the main challenges for the fisheries sector in AHFS/export, as seen from the stakeholder perspective	Note any changes – do stakeholders see challenges as growing or declining?
Part B Access to export markets	Part B Access to export markets

5. To which countries are fisheries and aquaculture products exported?			Update table, as necessary		
Country	Main products	Quantities or values, if statistics available	Country	Main products	Quantities or values, if statistics available
EU			EU		
USA			USA		
[others]	[add rows if necessary: copy this row and paste a new row above or below]		[others]	[add rows if necessary: copy this row and paste a new row above or below]	
6. Are any new markets currently being explored? What are the challenges?			Note any updates		

7. EU exports	Note any updates
<p>1.3 Are exports to the EU permitted—</p> <p>1.3.1 for any fisheries or other aquatic products (please specify)</p> <p>1.3.2 for other agricultural products (please describe)</p> <p>1.4 If EU exports are not permitted—</p> <p>1.4.1 is there a specific plan or policy within government aimed at seeking access to EU markets for fisheries products</p> <p>1.4.2 what is the level of stakeholder interest in access to EU markets (e.g. low / some / high)?</p>	
Part C Policy and institutions	Part C Policy and institutions
<p>8. Is there a published national fisheries policy? If so, describe how AHFS/SPS and fisheries exports are prioritised within the policy.</p>	<p>What further discussions have taken place at the national level concerning SPS in fisheries trade? Have any policy amendments been discussed, agreed or published?</p>

9. Are there published national policies on food safety and agricultural health? If so, is the fisheries sector represented within the policy(ies) and to what extent?	What further discussions have taken place at the national level concerning fisheries matters in AHFS policies? Have any policy amendments been discussed, agreed or published?
10. What role does the fisheries department play in AHFS matters? What formal or informal mechanisms exist (e.g. legislation, MOUs, steering committees) for coordination with the fisheries department?	Have any changes to the institutional arrangements been discussed, agreed or implemented? Are the arrangements considered to work successfully? Are there any barriers (e.g. need for new legislation) to revising institutional arrangements?

11. Is there any common vision or strategy shared with stakeholders on future policy for fisheries exports?			<p>If original answer yes: has progress been made towards any goals specified in the vision/strategy; have any policies and implementing measures been adopted (consistently)</p> <p>If original answer no: have steps since been taken to develop a common vision or strategy?</p>				
12. Infrastructural capacity: please indicate which of the following are present			Note any updates				
<ul style="list-style-type: none"> ▪ Animal health laboratory ▪ Accredited residue analytical laboratory ▪ Bureau of Standards <p>Comments:</p>							
13. Indicate participation in international agencies.			Note any updates				
CODEX	IAEA	OIE	IPPC	IICA	FAO		
Yes/No	Yes/No	Yes/No	Yes/No	Yes/No	Yes/No		

Part D Legislation			
<p>14. Outline your legislation relating to SPS as it applies to fisheries. In the comment section indicate whether the legislation is considered current or outdated and what plans if any exist to amend the legislation.</p>			<p>Note any updates, including any updates to plans to amend legislation.</p> <p>Note if any updates have been made or are planned in relation to the CARICOM model AHFS legislation.</p>
Fisheries Legislation	Law (title, year)		
	SPS measures / relevance		
	Comment		
Food Safety Legislation	Law (title, year)		
	SPS measures / relevance		
	Comment		
Animal Health Legislation	Law (title, year)		
	SPS measures / relevance		
	Comment		
Plant Health Legislation	Law (title, year)		
	SPS measures / relevance		

	Comment		
Other Legislation	Law (title, year)		
	SPS measures / relevance		
	Comment		
15. Have any reviews, assessments, audits, inspections, etc. been carried out to determine whether the legislation is consistent with international / third country export requirements? If so, what were the results?			Note any updates
Part E Model legislation			
16. At the departmental level, is it considered likely that the model legislation will be utilised to upgrade national legislation? Please provide comments.			Note any updates. Describe any policy, legislative or technical discussions that have taken place with respect to the model legislation.
Aquatic Animals and Aquatic Animal Products Hygiene			
Fish Hygiene Licensing and Inspection			
Aquatic Animal Health			

Food Safety		
Animal Health		
Plant Protection		
17. Has the model legislation been discussed at Ministerial or Cabinet level?		Note any updates
Part F Other comments		
18. Please indicate any other comments below.		Note any updates

Questionnaire 2A [Industry stakeholders - comparative]

ORIGINAL RESPONSES	UPDATED RESPONSES
[Replace column with table from original responses]	
Part A General questions and observations	Part A General questions and observations
1. Describe the main fisheries, aquaculture or other resources produced for export	Note any changes
2. Describe the main fisheries / aquatic products that are exported (live / processed)	Note any changes – do stakeholders see challenges as growing or declining?
3. Describe the main challenges for the fisheries sector in AHFS/export, as seen from the stakeholder perspective	Note any changes Note any steps which have been taken to address these challenges.

Part B Access to export markets			Part B Access to export markets		
4. To which countries are fisheries and aquaculture products exported?			Update table, as necessary		
Country	Main products	Quantities or values, if statistics available	Country	Main products	Quantities or values, if statistics available
EU			EU		
USA			USA		
[others]	[add rows if necessary: copy this row and paste a new row above or below]		[others]	[add rows if necessary: copy this row and paste a new row above or below]	
5. Are any new markets currently being developed, explored or which industry would like to access? What are the challenges?			Note any updates		

Part C Policy, institutions and legislation	Part C Policy, institutions and legislation
6. Do national policies (fisheries, food safety, animal health, etc.) adequately address fisheries trade and SPS matters?	What further discussions have taken place at the national level concerning SPS in fisheries trade? Have any policy amendments been discussed, agreed or published?
7. Is the fisheries sector sufficiently involved in fisheries policy questions; is it adequately consulted by government? What changes could be proposed?	Have any changes to the institutional arrangements been discussed, agreed or implemented? Are the arrangements considered to work successfully? Are there any barriers (e.g. need for new legislation) to revising institutional arrangements?

8. Is there any common vision or strategy shared with stakeholders on future policy for fisheries exports?	<p>If original answer was yes: has progress been made towards any goals specified in the vision/strategy; have any policies and implementing measures been adopted (consistently)</p> <p>If original answer was no: have steps since been taken to develop a common vision or strategy?</p>
9. Is the current legislation applying to fisheries exports up-to-date? Is it fit for purpose? Is it sufficiently manageable for industry?	Note any updates, including any new legislation (apply same questions) or any discussions on the need for new legislation.
10. Is industry aware of the CARICOM model legislation on agricultural health and food safety (including model legislation for the fisheries sector)? What responses (if any) does industry have to the CARICOM model legislation?	Note any updates

Part D Other comments	Part D Other comments
11. Please indicate any other comments below.	Note any updates

ANNEX H: WORKSHOP MATERIALS

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Regional Validation Workshop

14-15 December 2016






Development of model legislation, protocols, guidelines for health and food safety related to fisheries and aquaculture in CARIFORUM States





The SPS Project is funded by the European Union under the 10th Economic Development Fund and is being implemented by the Inter-American Institute for Cooperation on Agriculture (IICA) with the following regional Partners: the CARICOM Secretariat, the Caribbean Regional Fisheries Mechanism (CRFM), El Comité Nacional para la Aplicación de Medidas Sanitarias y Fitosanitarias de la República Dominicana (CNMSF) and CARIFORUM.

+

What are we trying to do?

- Build an internationally robust system for agricultural health and food safety
 - SPS measures for the fisheries sector
- Ensuring / increasing market access
 - meet standards for difficult export markets, such as the EU
 - ensure long-term access to export markets (sustainability of SPS controls)
- Remain competitive in international trade
- Improve domestic standards

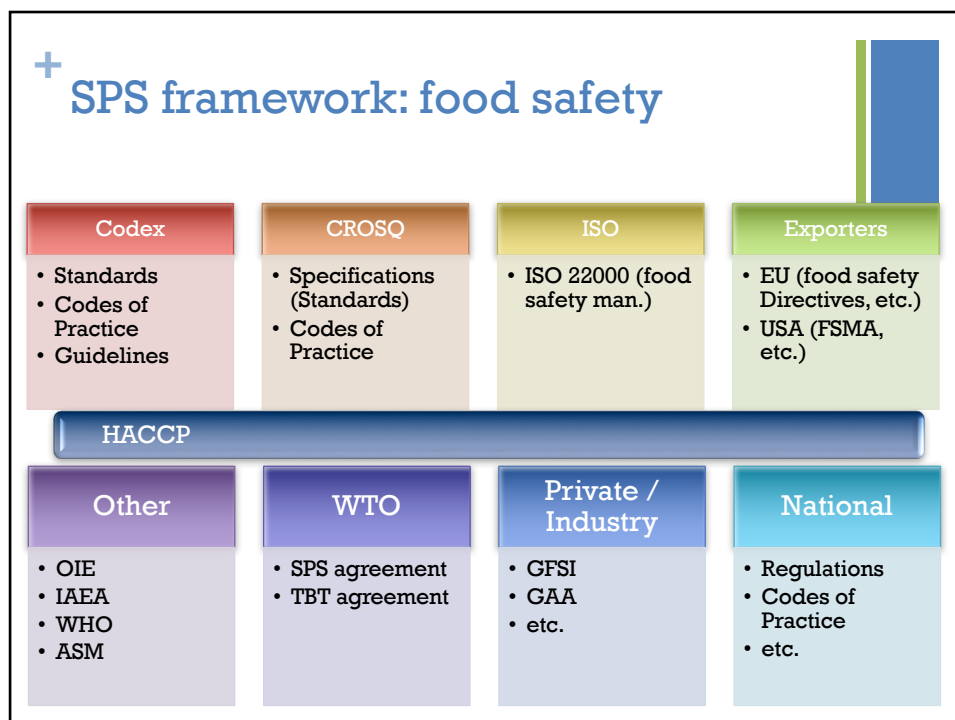
Development of model legislation, protocols, guidelines for health and food safety related to fisheries and aquaculture in CARIFORUM States



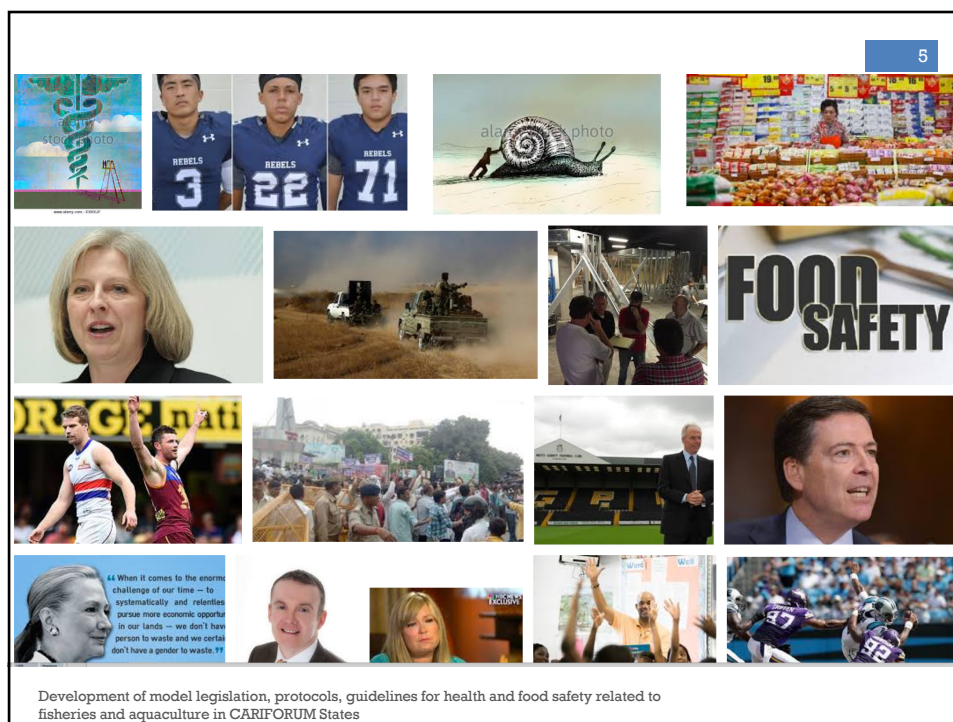
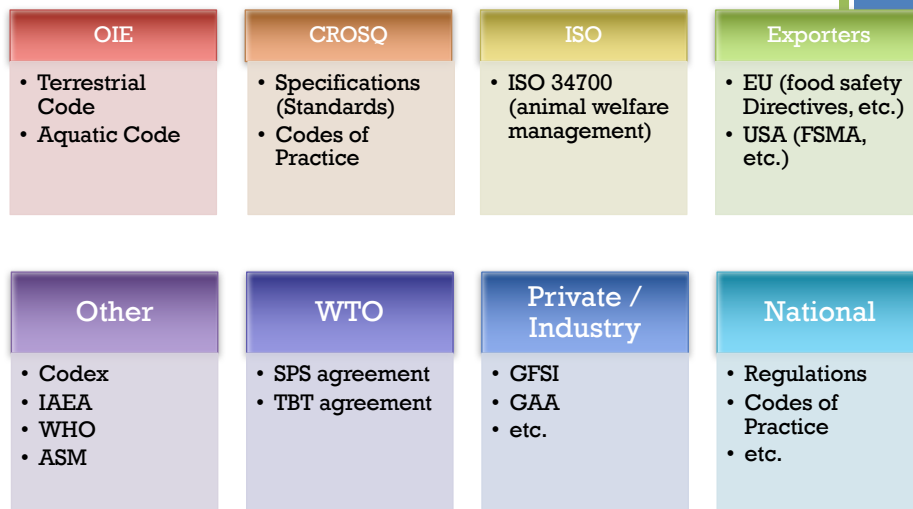
Some challenges

- most countries previously exported to EU, but now most cannot
 - EU market restricted for 15 years – continuing challenge to meet EU and US export conditions
 - Intra-regional trade subject to some constraints
- ability to keep up with continually developing regulatory demands from importing countries
- increasing technological advances which require capacity-building, training and funding
- severe challenges due to financial, legal, technological and human resource constraints
- effective fisheries/food safety measures undermined by out-dated and/or fragmented legislation, multiple jurisdictions, surveillance weaknesses, inadequate monitoring and enforcement, etc.

Development of model legislation, protocols, guidelines for health and food safety related to fisheries and aquaculture in CARIFORUM States

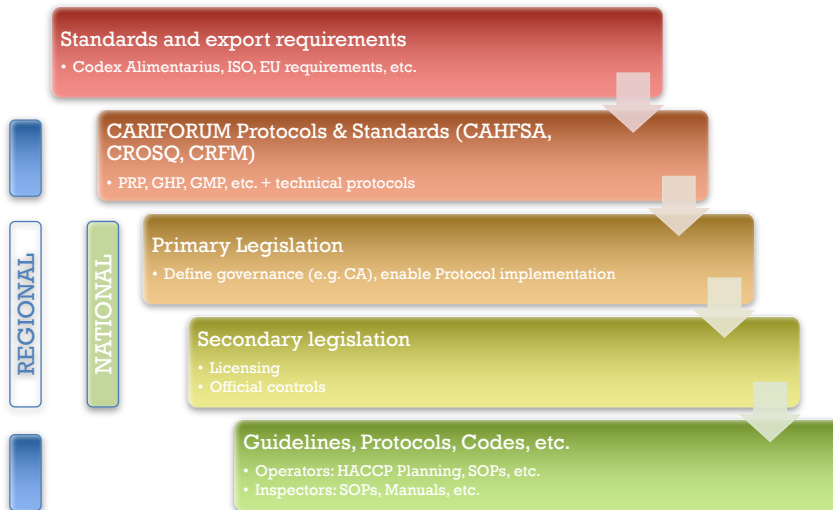


+ SPS framework: animal health



+ Governing framework?

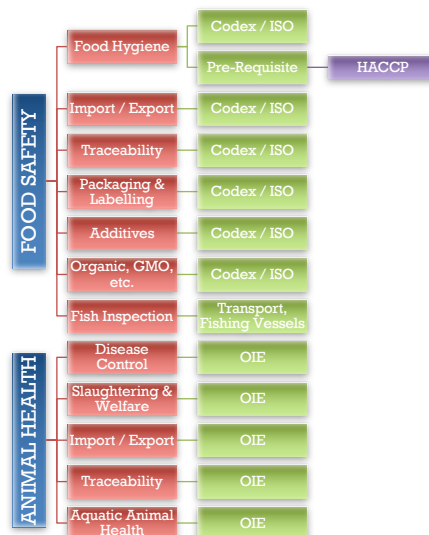
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Development of model legislation, protocols, guidelines for health and food safety related to fisheries and aquaculture in CARIFORUM States

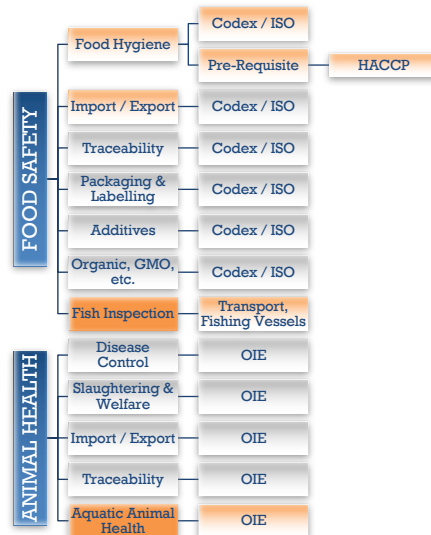
+ Legislative framework

7



Development of model legislation, protocols, guidelines for health and food safety related to fisheries and aquaculture in CARIFORUM States

+ Legislative framework: so far



Development of model legislation, protocols, guidelines for health and food safety related to fisheries and aquaculture in CARIFORUM States

+ Outcomes

- **Legislation, based on the CARICOM Model Bills**
 - Fish Inspection Regs
 - Aquatic Animal Health Regs
- **Implementation Tools**
 - Explanatory Notes
 - National Consultation Package
 - Strategy, Consultation docs, etc.
- **Regional Consultation tools**
 - Regional Consultation Package
 - Impact Assessment
- **Communication tools**
 - Awareness (press releases, video, etc.)
 - "Resource pack"

Development of model legislation, protocols, guidelines for health and food safety related to fisheries and aquaculture in CARIFORUM States



+
Thank you

Development of model legislation, protocols, guidelines for health and food safety
related to fisheries and aquaculture in CARIFORUM States

10

10TH EDF SPS Project

Support to the Caribbean Forum of ACP States in the Implementation of Commitments Undertaken Under the Economic Partnership Agreement (EPA): Sanitary and Phytosanitary Measures (SPS).

This action is being funded by the European Union under the 10th European Development Fund – Sanitary and Phytosanitary Measures (SPS) Project being executed by the Inter-American Institute for Cooperation on Agriculture (IICA)

Towards Sustainable Development of Fisheries for the People of the Caribbean

<http://www.crfm.int>



<http://www.youtube.com/TheCRFM>



<http://www.facebook.com/CarFisheries>



<https://twitter.com/CaribFisheries>



OPENING CEREMONY

Regional Validation Workshop for Model Legislation, Protocols and Guidelines for Health and Food Safety Related to Fisheries and Aquaculture in CARIFORUM States

14 – 15 December 2016

*ACCRA Beach Resort
Barbados*



NATIONAL ANTHEM

In plenty and in time of need
When this fair land was young
Our brave forefathers sowed the seed
From which our pride is sprung
A pride that makes no wanton boast
Of what it has withstood
That binds our hearts from coast to coast
The pride of nationhood

Chorus

We loyal sons and daughters all
Do hereby make it known
These fields and hills beyond recall
Are now our very own
We write our names on history's page
With expectations great
Strict guardians of our heritage
Firm craftsmen of our fate

The Lord has been the people's guide
For past three hundred years
With him still on the people's side
We have no doubts or fears
Upward and onward we shall go
Inspired, exulting, free
And greater will our nation grow
In strength and unity

PROGRAMME

Chairperson:-

*Ms Joyce Leslie
Deputy Chief Fisheries Officer
Ministry of Agriculture, Food, Fisheries,
and Water Resource Management, Barbados*

9:00a.m. – 9:10a.m.

National Anthem

Opening Prayer

9:10 a.m. – 9:20a.m.

Welcome Remarks
*Ms. Ena C. Harvey
IICA Representative, Barbados &
Management Coordinator – Caribbean Region*

9:20a.m. – 9:30a.m.

Remarks
*Ms. Katja Svensson
Programme Manager
Delegation of the European Union, Barbados
the Eastern Caribbean States, the OECS and
CARICOM/CARIFORUM.*

9:30a.m. – 9:40a.m.

Remarks
*Mr. Milton Haughton
Executive Director, CRFM Secretariat*

9:40a.m. – 9:50a.m.

Feature Address
*Ms. Princess Lovell Chandler
Deputy Permanent Secretary
Ministry of Agriculture, Food, Fisheries
and Water Resources, Barbados*

9:50a.m. – 10:00a.m.

Vote of Thanks
*Dr. Susan Singh-Renton
Deputy Executive Director,
CRFM Secretariat*



Regional Validation Workshop for Model Legislation, Protocol and Guidelines for Health and Food Safety related to Fisheries and Aquaculture in CARIFORUM States

Barbados, 14 — 15 December 2016

Agenda

Day 1

8.30-9.00 Registration

9.00-10.00 Opening Ceremony and Vote of Thanks

Opening and welcoming remarks will be provided by the Government of Barbados, the EU Delegation, CRFM Secretariat and IICA.

10.00-10.15 Election of Chairperson and Introduction of Participants

Participants will be asked to introduce themselves.

10.15-10.30 Introduction to the Project (CRFM)

The CRFM Secretariat will introduce the Project and provide a background to the current workshop.

10.30-11.00 Coffee Break

11.00-11.30 Review of Consultancy Outcomes & Approach

The consultant will review the work done under the current project, and its relation to other recently completed projects (including the earlier work with CRFM and the projects to draft Model Bills on Animal and Plant Health and Food Safety). The consultant will provide a review of how these projects might be coordinated.

11.30-12.00 Introduction to Model Fish Inspection Regulations (Food Safety)

The consultant will provide an overview of the Model Fish Inspection Regulations (implementing the Model CARICOM Food Safety Bill) and highlight the key questions for consideration.

11.45-13.00 First Breakout Session

The Participants will be asked to break out into small groups, with each group being allocated certain questions to examine. Each group will have a rapporteur who will report back in Plenary.

13.00-14.00 Lunch

14.00-15.45 First Breakout Session (cont'd)





Continuing discussions in breakout..

15.45-16.00 Coffee Break

16.00-17.00 Plenary Discussion and Feedback on Model Fish Inspection Regulations

The rapporteurs from each breakout group will report back to Plenary, to be followed by the reactions from the consultant and Plenary discussions.

Day 2

9.00-9.30 Introduction to Model Aquatic Animal Health Regulations (Food Safety)

The consultant will provide an overview of the Model Aquatic Animal Health Regulations (implementing the Model CARICOM Animal Health Bill) and highlight the key questions for consideration

9.30-10.30 Second Breakout Session

The Participants will be asked to break out into small groups again, with each group being allocated new questions to examine. Each group will have a rapporteur who will report back in Plenary.

10.30-11.00 Coffee Break

11.00-11.45 Second Breakout Session (cont'd)

Continuing discussions in breakout.

11.45-12.15 Plenary Discussion and Feedback on Aquatic Animal Health Regulations

The rapporteurs from each breakout group will report back to Plenary, to be followed by the reactions from the consultant and Plenary discussions.

12.15-13.00 Presentation of Consultation and Communication Tools

The consultant will present the: National and Regional Consultation Tools (Strategies and Packages); Communication Tools; and an Impact Assessment Tool. The content and potential use of these (inter-related) tools will be outlined.

13.00-14.00 Lunch

14.00-14.30 Presentation of Consultation and Communication Tools

Continued presentation.

14.30-15.00 Plenary Discussion and Feedback on Consultation and Communication Tools

Feedback and discussion on the Consultation, Communication and Impact Assessment Tools.

15.00-15.30 Conclusions and Way Forward (Consultant)

The consultant will provide a summing up and comments on next steps.

15.30-15.45 Coffee Break

15.45-16.30 Conclusions and Way Forward (CRFM)

The CRFM Secretariat will provide a summing up and recommendations on the way forward.



The CRFM is an inter-governmental organisation whose mission is 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”. The CRFM consists of three bodies – the Ministerial Council, the Caribbean Fisheries Forum and the CRFM Secretariat.

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