



**Report of the Twenty-seventh Session of the**

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**ASIA-PACIFIC FISHERY COMMISSION (APFIC)**

**Manila, Philippines, 19-21 September 2001**

**Bangkok, Thailand, 2001**

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Ó FAO 2001

## PREPARATION OF THIS REPORT

This is the edited version of the report approved by the Twenty-seventh Session of the Asia-Pacific Fishery Commission.

### ***ABSTRACT***

*This is the final report of the Twenty-seventh Session of the Asia-Pacific Fishery Commission (APFIC), held in Manila, Philippines from 19-21 September 2001. Major topics discussed were: reports of the ad hoc working groups of experts; report of the executive committee and the future direction of APFIC.*

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Participants in the Session  
Members of the Commission  
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**For bibliographic purposes this document should be cited as**

FAO, Report of the Twenty-seventh  
2001 Session of the Asia-Pacific  
Fishery Commission, 19-21  
September 2001.  
RAP/PUBLICATION:2001/18,  
17 p.



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## **ASIA-PACIFIC FISHERY COMMISSION**

The Asia-Pacific Fishery Commission (APFIC) established under an agreement formulated at Baguio, Philippines, on 26 February 1948, came into force on 9 November 1948. The FAO Conference at its Fourth Session (1948) approved the establishment of this body under the title “Indo-Pacific Fisheries Council (IPFC)” under Article XIV of the FAO Constitution.

At its Seventeenth Session (1976), IPFC changed its title to “Indo-Pacific Fishery Commission” and amended the Agreement in order to change the functions of the body. The IPFC Agreement was further amended by the Commission at its Twenty-fourth Session in 1993 to be known as “ASIA-PACIFIC FISHERY COMMISSION” (APFIC). The amendments were approved by the FAO Council at its 107th Session in November 1994.

The area of competence of APFIC covers Asia-Pacific. The functions of the Commission are to promote full and proper utilization of living aquatic resources by the development and management of fishing and culture operations and by development of related processing and marketing activities in conformity with the objectives of its members.

Current members of APFIC include Australia, Bangladesh, Cambodia, China, France, India, Indonesia, Japan, Malaysia, Myanmar, Nepal, New Zealand, Pakistan, Philippines, Republic of Korea, Sri Lanka, Thailand, United Kingdom, United States of America and Vietnam.

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## OPENING OF THE SESSION

1. The Asia-Pacific Fishery Commission (APFIC) held its Twenty-seventh Session from 19 to 21 September 2001 at the Dusit Hotel Nikko, Manila, Republic of the Philippines. The Session was attended by the representatives of 18 Members of the Commission and by observers from the Asian Fisheries Society (AFS), International Center for Living Aquatic Resources Management (ICLARM), Network of Aquaculture Centres in Asia-Pacific (NACA), GEF/UNDP/IMO Regional Programme on Partnerships in Environmental Management for the Seas of East Asia (PEMSEA) and the Southeast Asian Fisheries Development Center (SEAFDEC). A list of the delegates and observers is attached as Appendix A.

2. At the official opening of the Session, the Commission was welcomed by the Chairman of APFIC, Atty. Malcolm I. Sarmiento, Jr., Director of the Bureau of Fisheries and Aquatic Resources, Department of Agriculture of the Philippines. He recalled the unanimous view of the APFIC Members at the last Session that the Commission's various initiatives and programmes had favourably shaped their governments' fishery development approaches, resource conservation strategies and long-term policy formulation and management planning. He stated that while APFIC remained relevant as a dynamic factor in regional fisheries governance, its future activities required increased support from the Members in order to respond effectively to their needs. He encouraged the Members to take an active part in discussing and making decisions on the future of the Commission.

3. On behalf of FAO, the FAO Representative in the Philippines, Dr. Sang-Mu Lee, delivered an opening speech which stressed the importance of fisheries in the economies of countries in the Asia and the Pacific region. He noted that, as the potential for increasing total fishery production much above present levels was rather limited, better management was required to ensure long-term sustainable development of fishery resources and aquaculture. He referred to the major programmes in fisheries of FAO as well as assistance provided to the member countries in strengthening national capacity in both the public and private sectors. He stated that FAO would continue to provide assistance through the development of technology, strategies and policy as well as advisory and technical services to its member countries. However, he said that FAO's support is only catalytic in nature and should be complemented by the support, interest and enthusiasm of the member countries themselves. He recognized that APFIC has an important role to play in enhancing the activities which would lead to sustainable fisheries management and aquaculture development in the region. He therefore requested the participants to consider the recommendations of the APFIC Executive Committee, especially the need for increased support to the Commission, if its objectives and activities are to be realized in the future.

4. The representative of the FAO Fisheries Department, Mr. Z.S. Karnicki, Director of the Fishery Policy and Planning Division, was then invited to give a statement to the Commission. He recognized the achievements of APFIC in the past 52 years and the need for active support and advice from its Members on the appropriate programmes of work for the future. He noted that, at the Ad hoc High-level Consultation on the Future of APFIC held in Rome in March 2001, there was a mixed reaction from the Members as to its future. In

particular, some Members felt that the current status of APFIC was no longer valid as there was no clearly defined financial support. He emphasized that APFIC belonged to its Members, not to FAO, and that the Members should discuss its future thoroughly at this Session so that a decision could be made.

5. Inaugurating the Session, the Honorable Mr. Leonardo Q. Montemayor, Secretary of the Department of Agriculture, noted the birth of APFIC in Baguio City, Philippines in 1948. He cited the valuable assistance provided by APFIC to its Members in the rational development and sustainable utilization of fishery resources in the Asia-Pacific region. Through the years, the Commission has expanded and revised its role, responsibilities and activities to meet the evolving challenges of the fisheries sector in the region. He recognized that the Members have benefited and continue to benefit from the Commission's projects and initiatives. For its future direction, however, he noted the current predicament of the Commission was due to the lack of commitment to financial support by the Members. He therefore asked the Members to determine the future of the Commission after deciding its relevance in facing emerging issues and concerns. The Philippine delegation would do its share in discussing these serious matters.

6. The Secretary of Agriculture further informed the Commission of the recent Tuna Fisheries Congress held in the southern Philippines which was attended by both national and foreign tuna experts including the representatives from Indonesia and Papua New Guinea. The Congress had for its theme: "Fish Without Borders – Moving Towards Regionalization". The concept of an eco-region was discussed together with the emerging trend towards rational management, exploitation and sustainable utilization of large but contiguous marine resources. He stressed the need for the Members in the Asia-Pacific region to demonstrate in concrete terms, the political will, managerial expertise, financial creativity and collaborative capacity, to formulate a course of action to achieve and ensure a sustainable future for these shared fishery resources in the region.

#### ADOPTION OF THE AGENDA

7. The Commission adopted the Agenda as shown in Appendix B. The documents placed before the Commission is listed in Appendix C.

#### REPORTS OF THE AD HOC WORKING GROUPS OF EXPERTS

8. At the Twenty-sixth Session in 1998, the Commission abolished its four standing working parties in line with Resolution 13/97 of the FAO Conference and established three ad hoc Working Groups of Experts to discuss issues on food safety of fishery and aquaculture products, on capture fishery data collection and on rural aquaculture. The meetings of these ad hoc Working Groups of Experts were convened by the Secretariat in 1999.

9. The Ad hoc Working Group of Experts in Food Safety reviewed food safety issues concerning food-borne parasites and other pathogenic diseases caused by consumption of fish. Serious infestation by trematodes and illness caused by microorganisms such as *Vibrio* bacteria were identified. A research proposal on fish-borne trematode infection was

formulated for possible support by EU. However, due to the lack of expertise in this area, APFIC would cooperate with FAO and WHO in the future.

10. The Ad hoc Working Group of Experts in Capture Fishery Data Collection reviewed and supported the new Guidelines for the Routine Collection of Capture Fishery Data, prepared by FAO in cooperation with APFIC. The ad hoc Working Group suggested that such guidelines should be employed by the Members in a particular fishery and reported as case studies to APFIC. In addition, the ad hoc Working Group recommended that APFIC should actively promote awareness at the highest national levels of the necessity to continuously review data needs and to provide adequate means for collecting reliable data which are essential for fisheries management.

11. The Ad hoc Working Group of Experts in Rural Aquaculture discussed the current issues and agreed that rural aquaculture could contribute to the improvement of livelihoods of the rural poor and to food security in rural areas. It was recognized that there was a need for specific targeting of poor households coupled with participatory adaptive research and extension methods, to provide a sound basis for rural small-scale aquaculture development. The ad hoc Working Group recommended that efforts should be made to increase the awareness of policy-makers and planners of the potential for small-scale aquaculture in poverty alleviation, especially through integrated aquaculture systems.

12. The Technical Secretary of the APFIC Aquaculture and Inland Fisheries Committee (AIFIC) presented the follow up actions to the recommendations of the ad hoc Working Group. He informed of the NACA/DFID/FAO partnership – the STREAM (Support to Regional Aquatic Resource Management) initiative – with the objective of increasing awareness of strategies for aquaculture and aquatic resources management for poverty alleviation. STREAM's additional goal is for better coordination of information exchange and communication networks for aquatic resources management within the region.

13. The reports of these ad hoc Working Groups were submitted and endorsed by the Executive Committee at its Sixty-eighth Session. The Executive Committee further directed that these reports be submitted to the Commission for consideration concerning the proposed Ad hoc Working Group of Experts in Integrated Aquaculture Systems and the improvement of fishery data collection.

14. The Commission recognized that there are significant difficulties regarding data and information collection for inland fisheries. In addition, the Commission also suggested that more effort needs to be focused on the management of inland fisheries.

15. The Commission was informed that inland fisheries information collection and management requires more participatory approaches to these issues. Current initiatives supported by FAO in addressing these issues include the STREAM initiative, FAO/MRC meeting on data collection in inland fisheries and the FAO/MRC Large Rivers Symposium.

REPORT OF THE EXECUTIVE COMMITTEE

16. The Commission reviewed the report of the Sixty-eighth Session of the Executive Committee which was convened in Bangkok, Thailand, from 5 to 7 July 2000. The Commission noted activities carried out by the Secretariat during the inter-sessional period, including the outcome of the Ad hoc Legal and Financial Working Group established at the last Session. However, as many recommendations made by the Executive Committee had to be considered in conjunction with the future direction of APFIC, the Commission agreed to defer its decisions to Agenda item 5.

17. The representative of Korea informed the Commission that his delegation concurred with the Executive Committee that there is no longer a need for any APFIC programme for the Yellow Sea, as countries bordering the Yellow Sea had already concluded bilateral agreements on fisheries. In relation to this, he informed the Commission on the General Restructuring Programme for the Korean Coastal and Off-shore Fisheries being implemented by Korea.

18. Pending issues concerning its future direction, the Commission endorsed the report of the Executive Committee and decided to discuss the substantive recommendations separately.

#### FUTURE DIRECTION OF APFIC

19. The Commission discussed the above agenda item on the basis of documents APFIC/CM/01/3-6. It concurred with the view of the Executive Committee that there was a need to strengthen regional cooperation in the implementation of global fisheries instruments and initiatives, including the Code of Conduct for Responsible Fisheries as agreed upon by the FAO Ministerial Meeting on Fisheries (Rome, March 1999). It also concurred that there was a need for regular consultation and coordination amongst the key organizations in the region to avoid the duplication of effort and to contribute to the rational use of the limited funds available to the fisheries sector.

20. The Commission agreed that APFIC had contributed during its 52 years of existence to the conservation and rational utilization of fishery resources in the Asia-Pacific region. However, its future remains uncertain due to a number of factors, including financial implications and issues relating to Resolution 13/97 adopted by the FAO Conference at its Twenty-ninth Session (Rome, November 1997).

21. The Secretariat advised the Commission that FAO would continue to provide necessary support to the APFIC Secretariat in carrying out its functions, but there would be no prospect for increasing this level of support in the foreseeable future. It was stressed that APFIC belongs to its Members and that FAO serves only as a facilitator and coordinator. It was further emphasized that, being an Article XIV body, APFIC has a considerable degree of independence from FAO, including the ability of the Commission to have an autonomous budget and an independent Secretariat, as well as the establishment of trust funds for its programmes of work. The Secretariat cautioned, however, that in its current form, the limitations on the Commission's activities might raise the issue of the adequacy of its status as a body set up under Article XIV of the FAO Constitution.

22. The Secretariat elaborated on the international character of Article XIV Agreements and referred to in Part R of the FAO Basic Texts, which states that agreements entered into under the aegis of Article XIV are intended to be full international agreements. This entailed financial or other obligations from the Members, going beyond those already assumed under the Regular Programme of FAO. Should this not be the case, there would be “*no grounds for such an agreement, at least not in the legal form prescribed under Article XIV of the FAO Constitution*”. In this context, it would be assumed that the Members of APFIC should take up specific obligations, going beyond mere participation in the work of the body thus established. As to the financial obligations to enable the effective implementation of the Commission’s mandate, contributions by Members are required in cash or in kind. Contributions in kind could include expenses such as hosting or participating in a session of the Commission and/or conducting research or development activities as recommended by the Commission.

23. It was further explained that Resolution 13/97 invited *inter alia* the regional bodies created under Article XIV “*to seek where appropriate, increasingly to provide such bodies with their own financial resources, whether through co-operative programmes or voluntary contributions, or through the establishment of autonomous budgets financed from mandatory contributions*”. As FAO would not be able to provide increased financial support for the Commission, there was a need for increased contributions by its Members either under the form of mandatory annual contributions or otherwise. In this respect, it would not be appropriate to maintain the status quo of the Commission.

24. In the light of the above, the Commission proceeded to consider four possible options for the future direction of APFIC, presented in document APFIC/CM/01/6, based on the report of the ad hoc Legal and Financial Working Group, viz., (i) maintaining the status quo; (ii) implementing collaborative research and/or development initiatives; (iii) assuming the role of a regional consultative body as the Commission’s main activity; and (iv) assuming the role of a regional fisheries management organization.

#### Option 1. Maintaining the status quo

25. It was noted that this option might have legal implications for the Commission which was established under Article XIV of the FAO Constitution as stated earlier. Furthermore, the Commission would be limited in its ability to provide assistance to its Members in enhancing fisheries sustainability, through the implementation of the Code of Conduct for Responsible Fisheries. Out of the 18 Members represented at this Session, 13 Members expressed preference for this option, but with the proviso that there would be no mandatory financial contributions from the Members.

26. Some Members questioned whether under this option, APFIC continue to exist as an Article XIV body. It was clarified that, in the light of Resolution 13/97 of the FAO Conference in 1997 and Part R of the Basic Text of FAO and because APFIC belongs to its Members, the Member States of APFIC are required to seriously consider the possibility of providing contributions to the Commission, either in cash or in kind, whether in the form of mandatory annual contribution or contributions to Trust Fund for specific activities.

Option 2. Implementing collaborative research and/or development initiatives

27. The Commission noted that many of the high priority programmes of activities it endorsed at its 1998 session could be implemented through collaborative efforts. These included the collection, collation and dissemination of fishery information and statistical data; a fisheries management framework in the Bay of Bengal, and assessment of fish stocks and trends in production. It also noted that this option would enhance APFIC's ability to help strengthen national capacity building and transfer of technology in sustainable fisheries management and development. This option, however, would require financial and human resource contribution from participating Members and was supported by six Member States.

Option 3. APFIC assuming the role of a regional consultative forum

28. In such a role, APFIC could act as a forum to discuss emerging issues relating to fisheries, trade and sustainable management facing the member countries. It was also noted that this option could enhance dialogue and international cooperation and coordination amongst regional fishery bodies and prospective donors, so that the opportunities and challenges in fisheries sustainability in the region could be given due visibility. Eleven Members were in favour of this option as a future role of the Commission.

Option 4. APFIC as a regional fisheries management organization (RFMO)

29. The Commission considered the option for APFIC to become a truly regional fisheries management organization and concluded that it would create a number of difficulties as extensive amendments to the present agreement would be required. These would include the area of competence, specific unit stocks to be managed and funding mechanism for the organization's activities. In such a case, mandatory contributions would be required from the participating Member States as in the cases of a number of regional fishery bodies recently established or soon-to-be established within or outside the FAO umbrella. Six Members were explicitly not in favour of this option; one Member, however, considered this as a possible long-term transformation of the Commission.

30. The summary of the Members' positions on the above options with regards to the future direction of APFIC is given in Appendix D.

31. One Member mentioned that APFIC has already implemented the first three options to some degree. Some Members suggested that these options could be developed further with support from external funding, together with in-kind support from host countries and urged the Commission to pursue this matter further.

32. The Commission agreed that notwithstanding its financial uncertainty:

1. APFIC should continue to function;
2. APFIC should have more focussed and well defined programmes of action that are responsive to the needs of its Members;
3. APFIC could implement cooperative research and development initiatives;
4. APFIC could assume the role of a consultative forum; and
5. There is a need for continued support for capacity building and transfer of technology in sustainable fisheries management and development for both marine and inland fisheries.

33. Some Members expressed difficulties in providing mandatory contribution. However, the majority of the Members attending this session had no mandate to discuss the financial question related to the future of APFIC, the Commission requested that the Director-General of FAO invite the Members of APFIC to reaffirm their continued interest in and commitment to the Commission.

34. The Commission agreed that the provisions as stipulated in the APFIC Agreement remained valid, therefore, no amendments to the Agreement were required at this stage.

#### OTHER MATTERS

##### (a) APEC Ocean-related Ministerial Meeting

35. The Commission was informed by the Representative of Korea on the preparation for the APEC Ocean-related Ministerial Meeting, to be convened in Seoul, Korea, from 22 to 26 April 2002. The Meeting would consider issues related to oceans, with the theme: Towards Sustainability of Marine and Coastal Resources in the Asia-Pacific region. It was also intended that a Declaration be adopted to contribute to the World Summit on Sustainable Development at Johannesburg in September 2002.

##### (b) ASEAN-SEAFDEC Conference

36. The Secretary-General of SEAFDEC informed the Commission on the preparation for the ASEAN-SEAFDEC Conference on Food Security into the New Millennium: Fish for People. The Conference will be organized by ASEAN and SEAFDEC, in cooperation with FAO, in Bangkok, Thailand, from 19 to 24 November 2001. It is expected that the resolutions and five-year plan of action emanating from the Conference would provide frameworks for further action in Southeast Asia.

##### (c) Western and Central Pacific Fisheries Convention

37. The Representative of Japan drew the attention of the delegations to the matter of the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean, pointing out that the area covered by the Convention would include waters of the several Members, and expressed its view that the Convention has problems and difficulties. Japan will continue discussion to improve the Convention with the coastal states concerned.

38. The Representative of Korea expressed Korea's similar position with Japan on this matter.

#### ELECTION OF OFFICERS

39. Thailand and India were unanimously elected Chairman and Vice-Chairman of the Commission respectively.

40. Indonesia and Malaysia were unanimously elected to serve as members of the Executive Committee, in addition to the outgoing Chairman (Philippines).

#### DATE AND PLACE OF THE TWENTY-EIGHTH SESSION

41. The Commission accepted with great pleasure the offer of the Kingdom of Thailand to host the Twenty-eighth Session of APFIC in 2003. The exact date and place of the Session will be decided by the Director-General of FAO, in consultation with the Chairman and the authorities of the host country.

#### ADOPTION OF THE REPORT

42. The report of the Session was adopted on 21 September 2001.

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**APPENDIX B**

**AGENDA**

1. Opening of the Session
2. Adoption of the Agenda
3. Reports of the Ad hoc Working Group of Experts
4. Report of the Executive Committee
5. Future Direction of APFIC
6. Other Matters
7. Election of Officers
8. Date and Place of the Twenty-eighth Session
9. Adoption of the Report

**APPENDIX C**

**LIST OF DOCUMENTS**

**A. Working documents:**

APFIC/CM/01/1, Rev.1	Provisional Annotated Agenda and Timetable
APFIC/CM/01/2	Reports of the <i>Ad hoc</i> Working Groups of Experts established by APFIC
APFIC/CM/01/3	Report of the Sixty-eighth Session of the APFIC Executive Committee
APFIC/CM/01/4	Report of the <i>Ad hoc</i> Legal and Financial Working Group
APFIC/CM/01/5	APFIC: Its Changing Role
APFIC/CM/01/6	Future direction of APFIC

**B. Information Documents:**

APFIC/CM/01/Inf. 1	Provisional List of Documents
APFIC/CM/01/Inf. 2	Provisional List of Participants and Observers
APFIC/CM/01/Inf. 3	Report of the Twenty-sixth Session of APFIC, Beijing, China, 24-30 September 1998
APFIC/CM/01/Inf. 4	Report of the <i>Ad hoc</i> Working Group of Experts in Food Safety, Bangkok, Thailand, 15-17 March 1999
APFIC/CM/01/Inf.5	Report of the <i>Ad hoc</i> Working Group of Experts in Capture Fishery Data Collection, Bangkok, Thailand, 7-9 September 1999
APFIC/CM/01/Inf. 6	Report of the <i>Ad hoc</i> Working Group of Experts in Rural Aquaculture, Bangkok, Thailand, 20-22 October 1999
APFIC/CM/01/Inf. 7	APFIC: Structure, Functions and Directory of Its Subsidiary Bodies
APFIC/CM/01/Inf. 8	APFIC: Its Evolution, Achievements and Future Direction
APFIC/CM/01/Inf. 9	Summary Record of the Ad hoc High Level Consultation on the Future of APFIC

**APPENDIX D**

**OPTIONS FOR THE FUTURE OF APFIC**

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

Note: Y = Yes; N = No