

1- Background

Food security is considered achieved

Since 1990, world leaders have committed themselves to fight food insecurity and malnutrition. More than 13 years ago, the Millennium Development Goals (MDGs) were set to be met by 2015 through a global partnership. Under MDG 1, which aims to eradicate extreme poverty and hunger, the world sought to halve, between 1990 and 2015, the proportion of undernourished people. The Rio + 20 Declaration reaffirmed the commitments regarding the right of everyone to have access to safe, sufficient and nutritious food, consistent with the right to adequate food and the fundamental right of everyone to be free from hunger. It acknowledged that food security and nutrition has become a pressing global challenge and, in this regard, further reaffirmed the commitment of all to enhancing food security and access to adequate, safe and nutritious food for present and future generations in line with the Five Rome Principles for Sustainable Global Food Security adopted in 2009, including for children under two, and through, as appropriate, national, regional and global food security and nutrition strategies.

Overall progress has been made in hunger reduction, albeit at a much slower rate than required to meet the set targets and at the expense of the environment and of the poorest. A total of 842 million people in 2011–13, or around one in eight persons in the world, were estimated to be suffering from chronic hunger, regularly not getting enough food to conduct an active life. The affected people face daily food shortages that prevent them from working, stunt the growth of their children, expose them to illness and lead to premature death. The health of another 2 billion people is compromised by nutrient deficiencies. At the other end of the spectrum, another 1.5 billion are overweight or obese, exposing themselves to a greater threat of diabetes, heart problems and other diseases.

Also, significant differences persist across regions, with many countries left far behind. The vast majority of undernourished people live in developing countries. Sub-Saharan Africa has made modest progress in recent years, but remains the region with the highest prevalence of undernourishment (almost 25 percent).

Furthermore, the growth in food output has placed great stresses on natural resources. It has degraded soils, polluted and exhausted fresh water supplies, encroached on forests, depleted wild fish stocks, and narrowed biodiversity, leaving these resources with a diminished capacity to meet the food needs of

Table 1. World fisheries and aquaculture production and utilization (FAO, 2014)

	2007	2008	2009	2010	2011	2012*
PRODUCTION (in million tonnes)						
Capture fisheries						
Inland	10.1	10.2	10.4	11.2	11.1	11.5
Marine	80.7	79.9	79.6	77.7	82.4	79.5
Total capture fisheries	90.7	90.1	90.0	89.0	93.5	91.0
Aquaculture						
Inland	33.4	36.0	38.1	40.9	43.9	46.4
Marine	16.6	16.9	17.6	18.1	18.8	20.1
Total aquaculture	49.9	52.9	55.7	59.0	62.7	66.5
Total fish production	140.7	143.0	145.7	148.0	156.2	157.5
UTILIZATION (in million tonnes)						
Human consumption	117.4	120.8	123.8	128.1	132.3	135.4
Non-food uses	23.3	22.3	21.9	19.9	23.9	22.1
Population (billions)	6.7	6.8	6.8	6.9	7.0	7.1
Per capita food fish supply (Kg)	17.6	17.9	18.1	18.5	18.9	19.1

3- Legal and policy context¹

a) UNCLOS, UNFSA and fisheries instruments

United Nations Convention on the Law of the Sea (UNCLOS)

UNCLOS was adopted in 1982 and came into force on 16 November 1994. UNCLOS establishes a comprehensive legal regime for the world's oceans. Among others, the Convention provides for the division of the oceans in marine areas in different zones that fall both within national sovereignty or jurisdiction and beyond national jurisdiction. For each of these zones, the Convention lays down specific rights and responsibilities for the usage of the marine space and environment and the resources present in them. Of particular importance for the international governance of fisheries, are the provisions related to management and conservation of straddling and highly migratory fish stocks (articles 62 and 63) and the provisions relating to the management and conservation of living resources in the high seas (article 118). In respect of these marine living resources, UNCLOS requires that States cooperate with each other, either directly or through appropriate regional organizations.

The Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (the Fish Stocks Agreement)

The Fish Stocks Agreement was adopted in 1995 and entered into force on 21 December 2001. The Agreement facilitates the implementation of certain provisions of UNCLOS concerning the conservation and management of straddling fish stocks and highly migratory fish stocks (articles 63 and 64 of UNCLOS). It introduces a number of principles that address the management and conservation of straddling and highly migratory fish stocks and species belonging to the same ecosystem or associated with or dependent upon the target stocks, based on the best scientific evidence and precaution. The Fish Stocks Agreement addresses the compatibility of conservation and management measures in high upon tdsas arta

FAO Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (Port State Measures Agreement)

The FAO Port State Measures Agreement (PSMA) was approved by the FAO Conference on 22 November 2009 but has not yet entered into force². The objective of the PSMA is to ensure the long-term conservation and sustainable use of living marine resources by enhancing port State measures to combat IUU fishing. The PSMA lays down a minimum set of standard measures to be applied by port States when foreign vessels seek entry into ports or while they are in port. Through the implementation of defined procedures to verify that such vessels have not engaged in IUU fishing, and other provisions relating to the denial of access to ports, port inspections, prohibition of landing, detention and sanction, fish caught through IUU fishing activities can be blocked from reaching national and international markets.

b)

c) Non-binding instruments

The Code of Conduct for Responsible Fisheries

The Code of Conduct for Responsible Fisheries was adopted by the FAO Conference during its Twenty-Eight Session, held from 20 to 31 October 1995³. The Code of Conduct is a voluntary instrument that is global in scope and applies to all fisheries activities, irrespective of where they take place⁴. The Code, consisting of a collection of principles, goals and elements for action, aims at guiding countries and groups of countries in the development or improvement of their fishery and aquaculture sectors, whilst ensuring the long-term sustainable use of fisheries resources and habitat conservation, guaranteeing food security, and alleviating poverty in fishing communities.

Under the framework of the Code, FAO has initiated the drafting, promotion and implementation of a series of negotiated soft law instruments in the form of International Plans of Action, Strategies and International Guidelines. Moreover, a series of technical guidelines on the implementation of specific parts of the Code have been developed by FAO.

The International Plans of Action (IPOA) relate to the management of fishing capacity, to reducing incidental catch of seabirds in longline fisheries, to the conservation and management of sharks, and to preventing, deterring and eliminating IUU fishing. Strategies for the improvement of information on

Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the

4- Challenges

To contribute effectively to the global food security challenges of the coming decades, fisheries and aquaculture would need to overcome various obstacles. Economic growth in Fisheries and Aquaculture in recent decades has been accomplished in several parts of the world through unsustainable exploitation of many aquatic resources. Such growth has commonly not allowed fish stocks or habitats to regenerate, resulting in overfishing, ecosystem degradation and habitat and biodiversity loss. Consequently, the share of marine fish stocks that are over-exploited has increased during the last decades, from 10% in 1970 to nearly one third in 2009. A further 52% of the fish stoc

production originates from coastal ecosystems, such as estuaries, marshes, shallow bays and wetlands, mangroves, coral reefs and sea-grass beds. These play a major role in the life cycle of many marine

Fisheries organizations and collective action provide a pathway by which men and women can have a voice in decision-

Aquaculture has made great contribution to people's livelihoods, food security, poverty alleviation, income generation, employment and trade; and the potential of aquaculture's contribution has not yet been fully realized across all continents. The potential of aquaculture's contribution to human development and social empowerment cannot be fully realized without consistent, responsible policies and goals, effective institutional arrangements and regulatory frameworks, and improving co-operation amongst stakeholders at national, regional and inter-regional levels.

In addition to being very active in regional and international undertakings such as the Global Partnership on Oceans (GPO) or Fishing for the Future, FAO has recently developed a Global Initiative for Blue Growth in support of food security, poverty alleviation and sustainable management of aquatic resources.

With the Blue Growth Initiative, FAO aims to enable the catalysis of policies, investment and innovation which would underpin sustained growth and give rise to new economic opportunities such as ecosystem services. It would integrate key aspects of food security, economic performance, such as poverty reduction, job creation and social inclusion, with those of environmental performance, such as mitigation of climate change, eco-systems and biodiversity loss. It would mobilize technical support and build local capacity for the design and implementation of Blue Growth Strategies and create action-oriented policy options and institutions tailored to the respective economic circumstances and constraints of Member Countries.

The initiative would aim to intensify partnerships among industry, governments at all levels, civil society organizations and communities. The recognition of the fundamental role the private sector, CSOs and public-private partnerships will play in changing current behaviors, practices and technologies, and accepting that short-term economic impact will be superseded by long-term economic gain, is essential.

Several countries have adopted national strategies for Blue Growth and are seeking and receiving technical support in implementing these strategies, including through provision of their own resources or through support from development organizations such as FAO. The Initiative would build on examples of successful reforms that can be customized to a wide range of countries and contexts, with the aim to scale up proven solutions for the benefit of further communities, countries and global well-being.

ANNEX - ADDITIONAL INFORMATION ON LEGAL INSTRUMENTS¹⁰

Legally-binding instruments

United Nations Convention on the Law of the Sea (UNCLOS)

The most relevant provisions for the sustainable management and conservation of living marine resources provided in UNLOS are set out below.

In its territorial sea, a coastal State exercises sovereignty, subject to UNCLOS and other rules of international law (article 2 UNCLOS). In its EEZ, a coastal State has sovereign rights for the purpose rules of

with each other in the conservation and management of living resources in areas of the high seas. States whose nationals exploit identical living resources, or different living resources in the same area must enter into negotiations with a view to taking the measures necessary for the conservation of the living resources concerned. These States must cooperate to establish subregional or regional fisheries

Furthermore, it seeks to prevent the occurrence of “ports of non-compliance”, and calls for effective cooperation and information exchange among Parties to the agreement, as well as with relevant international and regional organizations, including RFBs. The Port State Measures Agreement places a particular responsibility on Regional Fisheries Management Organizations to foster regional cooperation among its Members to implement regionally agreed port State measures which are compatible with national and regional conditions, and compliant with the provisions of the Agreement.

The Port State Measures Agreement calls on Parties to provide assistance to developing States Parties, directly or through FAO and other international entities, to enhance their capacity to implement port State measures. Furthermore it provides for the establishment of funding mechanisms for this purpose, managed by an ad hoc working group to be established specifically to address the needs of developing States Parties, once the Port State Measures Agreement enters into force. In November 2011, FAO convened an informal open-ended technical meeting to review draft terms of reference for the ad hoc working group, which were endorsed by COFI at its thirtieth session, in 2012.

Meanwhile, FAO has embarked on the delivery of a global series of regional capacity-development workshops, in collaboration with relevant regional and international organizations, to prepare for and support the entry into force of the Port State Measures Agreement. The workshops also aim to contribute to the development of national capacity to maximize the benefits available through the effective use of the PSMA and promote bilateral, subregional and/or regional coordination. Workshops have been held in the Indian Ocean Region and the South-West Pacific Region, and preparations are ongoing for three additional workshops for Caribbean, South-American and West-African countries. Outcomes of the workshops, may also be followed up by specific support at national level, as appropriate, through supplementary tailor-made capacity development programmes, subject to the availability of funds.

Voluntary instruments

The Code of Conduct for Responsible Fisheries

The Code is directed to Members and non-Members of FAO, fishing entities, subregional, regional and global organizations, and all persons concerned with the conservation of fishery resources and management and development of fisheries (article 1.2). The Code provides principles and actions required for implementation of responsible fisheries and aquaculture, addressing general principles, fisheries management, fishing operations, aquaculture development, coastal area management and post-harvest practices and trade. Consideration of ecosystem and biodiversity conservation, as well as the nutritional, economic, social, environmental and cultural importance o

The IPOA-Capacity, adopted by the FAO Committee on Fisheries in 1999, is a voluntary instrument developed within the framework of the Code of Conduct to address excess fishing capacity. The IPOA's objective is to achieve an efficient, equitable and transparent management of fishing capacity globally. The IPOA calls, among others, on States to assess and monitor fishing capacity and preparation and implementation of national plans of action. Specific actions States are called on to take include the establishment of national records of fishing vessels and elimination o

The International Guidelines for the Management of Deep-sea Fisheries in the High Seas were adopted in 2008 by an FAO Technical Consultation. The voluntary instrument aims at the long-term conservation and sustainable development of marine living resources in deep-sea areas and at preventing significant adverse impacts on vulnerable marine ecosystems (VMEs). The Guidelines require States to adopt measures in accordance with the precautionary approach and the ecosystem approach to fisheries, and

for the VGGT, led global and regional consultations on their content, and prepared the first draft that formed the base for negotiations. The VGGT were finalized through CFS-led intergovernmental negotiations with the participation of civil society and the private sector, and were endorsed by CFS in 2012. Implementation of the VGGT has been further encouraged at the Rio +20 meeting in June 2012 and by the UN General Assembly, , the G20 and the G8 and the Ministers at the Berlin Agriculture Ministers' Summits.