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# COMMITTEE ON FISHERIES

## SUB-COMMITTEE ON FISH TRADE

### Fifteenth Session

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## MONITORING IMPLEMENTATION OF ARTICLE 11 OF THE CODE OF CONDUCT FOR RESPONSIBLE FISHERIES (CCRF)

### Executive Summary

This paper presents key findings on the progress of implementation of article 11, Post-harvest Practices and Trade, of the Code of Conduct for Responsible Fisheries (CCRF), also highlighting areas where implementation of article 11 poses a challenge for FAO Members.

The information in this paper has been collated and analysed based on self-assessment questionnaires completed and submitted by FAO Members in the period between 22 April and 30 June 2015 through a new web-based reporting system. Statistical tables summarising Members' responses are made available as COFI:FT/XV/2016/Inf.10 to be read in conjunction with this document.

Completed responses were received from 115 Member States and from one Member Organization, the European Union (Member Organization) responding in the name of its 28 Member States, giving a total of 143 Member States, representing 73 percent of the FAO Members.

### Suggested action by the Sub-Committee

- Provide guidance on how to strengthen and broaden implementation of article 11 of the CCRF;
- Recommend actions toward further improving the reporting process by FAO Members.



## INTRODUCTION

1. At its previous session in February 2014, the Sub-Committee on Fish Trade (COFI:FT) Secretariat recommended actions towards further improving the reporting process, including the possibility of introducing a web-based reporting system, aligning the COFI:FT questionnaire on the same web-platform as the main COFI platform. Pursuant to the recommendations emanating from member countries, an on-line, tailor-made questionnaire (together with a related database and information system) has been developed in the six official languages of FAO and was launched by the COFI:FT Secretariat on 22 April 2015<sup>1</sup>.

2. The on-line questionnaire is accessible through a dedicated portal on the FAO domain<sup>2</sup>, using unique usernames and passwords, and meets the necessary confidentiality, security and usability requirements. The contents and the structure of the questionnaire were not changed, apart from question five, which was updated/reformulated into an open-ended question (namely “Please identify emerging issues in the implementation of article 11 of the Code”) as ecolabel and certification requirements, illegal, unreported and unregulated (IUU) fishing regulations and traceability requirements can no longer be considered as "emerging issues". However, they are still considered to be major issues. This allowed new emerging issues to be reported and brought to the attention of the Secretariat as analysed and summarised in the following sections of the report.

3. One hundred and fifteen Member States and the European Union (Member Organization)<sup>3</sup>, responded to this new on-line questionnaire, giving a total of 143 Member States, representing 73 percent of the FAO Members.

Session	Responding members	Response rate
13th Session - 2012	15 Members + 1 Member Organization	22% of FAO Members
14th Session - 2014	88 Members + 1 Member Organization	60% of FAO Members
15th Session - 2016	115 Members + 1 Member Organization	73% of FAO Members

## QUALITY OF THE COMPLETED QUESTIONNAIRES AND FURTHER IMPROVING THE REPORTING

4. On average, 95 percent of questions in the questionnaires submitted were answered, with the remaining 5 percent corresponding to empty cells or “not applicable” replies.

5. Five questionnaires were received in electronic format (i.e. through the previous spreadsheet based questionnaire) and these responses were accepted and entered manually into the system by the Secretariat during a transitional period (from the former excel format to the current on-line reporting system), as discussed and agreed during the last session of COFI:FT<sup>4</sup>.

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<sup>1</sup> The Questionnaire was circulated to all FAO Members, FAO Regional offices, Permanent Representatives, Government officials, COFI and COFI:FT participants through the new on-line system on 22 April 2015. In the period between 22 April and 30 June 2015, "registration" and "submission" reminders were sent and support has been given to the different countries to complete the questionnaires. A notification was sent on 1 June 2015 on the extension of the deadline from 30 May to 30 June 2015.

<sup>2</sup> [www.fao.org/fishery/code/codequest](http://www.fao.org/fishery/code/codequest)

<sup>3</sup> The European Union (Member Organization) responded to the questionnaire in the name of its 28 member countries.

<sup>4</sup> As stated in section 78 of the Report on the Fourteenth Session of COFI:FT: “The Sub-Committee agreed to a transitional period during which the Secretariat will accept both on-line and excel responses to the questionnaire in response to some of the difficulties raised by some Members”.

6. The improved response rate and the completeness of the questionnaires, comments and data submitted constitute very positive feedback with regard to the on-line questionnaire adopted and indicate a high level of interest and participation by Member Countries.

7. The response rate within the different regions (percentage of responding countries per region) was: 100 percent<sup>5</sup> for North America; 85 percent for Latin America and the Caribbean; 70 percent for Africa; 70 percent for Asia; 67 percent for the Near East; 68 percent for Europe<sup>6</sup> and 33 percent for the South West Pacific.

8. Although the result of this monitoring exercise is very positive, the response rate could be further improved for the Sixteenth Session of COFI:FT.

## STRUCTURE OF THE QUESTIONNAIRE AND ANALYSIS OF THE DATA

9. The implementation of article 11 is monitored through a questionnaire subdivided in five sections as specified below:

Section I -	<i>Responsible fish utilization</i>
Section II -	<i>Responsible international trade</i>
Section III -	<i>Laws and regulations relating to fish trade</i>
Section IV -	<i>Emerging issues in the implementation of article 11</i>
Section V -	<i>Current challenges</i>

10. The first three sections of the questionnaire requested the Members, through 29 different questions, to report on the extent to which they had implemented measures relating to responsible fish utilization, responsible international trade and laws and regulations relating to fish trade, with possible responses ranging from 1 (not implemented, or just started) to 5 (almost all is done, or complete). Not applicable (“n/a”) replies were also accepted, when the question did not apply to the national context.

11. The next two sections asked the Members, through six open-ended questions, to identify current challenges related to the implementation of article 11 of the Code with regard to *emerging issues in the implementation of article 11, safety and quality assurance systems, post-harvest sector, international trade in fish and fisheries products, laws and regulations as well as to provide additional comments.*

## ANALYSIS OF THE RESPONSES

12. In general, Members across the board reported a good level (3.13 on average) of compliance with the implementation of article 11. In particular, implementation of measures related to safety and quality for fish and fisheries products (3.32 on average) and adoption of laws and regulations (3.29) indicate the existence of an enabling institutional and technical environment related to safety and quality assurance systems.

13. Measures being implemented in the post-harvest sector (2.83) and measures in relation to international trade in fish and fisheries products (3.06) showed the lowest aggregate levels of implementation. In particular, the area reporting the lowest level of implementation is the one related to the effective monitoring and addressing environmental impacts of post-harvest activities (2.36), followed by measures taken to assess and reduce post-harvest losses (2.68).

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<sup>5</sup> It is important to highlight that North America comprises just two countries.

<sup>6</sup> The Europe region includes non-EU European countries and the European Union (Member Organization) itself, counted as one.

14. A detailed statistical analysis of responses by FAO Members to the 2015 edition of the questionnaire is available as Info Paper COFI:FT/XV/2016/Inf.10.

15. In order to enrich the analysis and highlight key emerging issues requiring possible further support with respect to specific geographic areas, the responses have also been subdivided by region: Africa, Asia, Europe<sup>7</sup>, Latin America and the Caribbean, Near East, North America and South West Pacific.

16. Africa represented 30 percent of the total replies received, followed by Latin America and the Caribbean (24 percent), Asia (14 percent), Europe (13 percent), the Near East (12 percent), the South West Pacific (5 percent) and North America (2 percent).

17. A summary of the open-ended responses submitted by FAO Member to the 2015 edition of the questionnaire monitoring the implementation of article 11 of the CCRF is provided below.

### **CHALLENGES IN THE IMPLEMENTATION OF ARTICLE 11 OF THE CCRF**

18. Members appear to be committed to article 11 of the CCRF, as a comprehensive tool covering all the different aspects of fisheries and as a mean to improve post-harvest practices, integrate social and environmental concerns associated with fishery practices, support the sustainable, responsible and safe use of aquatic resources and, most of all, promote and protect human safety.

19. Several members reported having started implementing article 11, although their fishery sector is still at the initial stage. Some other countries are under challenging humanitarian situations and, as a result, most fishery related activities are entirely focused on emergency livelihood intervention programmes, while efforts to implement the CCRF are postponed. Most of the reporting countries, however, are in the process of developing policies and strategies, including new Plans of Action, laws and reforms, to strengthen the institutional and technical framework for fisheries and aquaculture.

20. Most of article 11 of the CCRF is implemented in many countries, although major issues and current challenges were reported, as summarized in the following sections. Detailed comments within each section are listed in Appendix 1.

#### **Current challenges related to quality and safety assurance systems**

21. Although food safety and quality issues are gaining increasing attention by Members, several difficulties were reported, mostly in relation to the level of awareness of producers, consumers and traders and to inadequate laboratory facilities, infrastructures, resources, capacities and technical skills.

22. In some countries, safety and quality systems exist and are effectively operating from capture and harvest to storage, transportation, processing and commercialization, particularly in relation to the preservation of organoleptic properties and to exercising control over freshness indicators, residues and contaminants.

23. Complicated procedures for food safety and quality assurance were reported by many countries, together with the lack of a competent authority, with overlaps in roles and responsibilities for different Ministries and departments.

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<sup>7</sup> The responses from the Europe region include non-EU European countries and the EU itself, counted as one.

24. Many other countries still lack food safety and quality assurance systems, although some work is underway to develop and apply national policies and standards to protect consumers' rights and to promote the quality and safety of fish and fishery products along the value chain.

25. In the absence of clear national policies and institutional frameworks, the ability of the single operators to comply with the requirements of safety and quality assurance systems presents a challenge, as these operators can only rely on their own resources and capacities.

26. Many countries highlighted the high cost related to the adoption, implementation and strengthening of food safety and quality surveillance and monitoring systems, especially in the small-scale sector, on one side, and the limited interest and financial capacity on the consumers' side to absorb this higher cost by paying increased prices. In fact, consumers' choices of products in most of the countries are reported to be guided by price and/or availability rather than by quality, reflecting in inappropriate habits, insufficient attention and low demand requirements.

27. In general, the implementation of quality and safety policies for fish and fishery products is still reported as a challenge in terms of adherence to international standards by fishers, farmers, fish processors, distributors and consumers. Very different levels of attention (in terms of know-how, facilities, safety and quality measures and handling practices) are reported to be given within the same country to fish products destined to international markets and to those to be consumed locally. Food quality and safety assurance systems for fishery products consumed in the domestic market are reported as major issues, especially in the small-scale sector, because of the lack of infrastructure, knowledge and financial resources.

28. In most of the countries, more work will have to be done to develop/strengthen the regulatory frameworks related to Food Safety and Quality Management Programmes, incorporating Hazard Analysis and Critical Control Point (HACCP) principles consistent with Codex Alimentarius guidelines.

### **Current challenges in the post-harvest sector**

29. According to the responses received, the post-harvest sector seems to show resilience to the widespread difficult economic circumstances as the demand for fish and fisheries products continues to grow.

30. Many countries do not have a policy framework for post-harvest activities or a fish processing industry, with post-harvest activities limited to transportation, storage and sale.

31. Post-harvest practices in many countries have not received adequate attention, resulting in high volumes of post-harvest losses (reported at 35–45 percent by some countries) recorded during the entire chain of production. Although in some countries, there is the will to reduce post-harvest losses, the lack of institutional frameworks, reliable data, infrastructures, cold chain facilities and means for appropriate conservation does not allow this result to be achieved.

32. Post-harvest losses and wastes are also linked to the lack of capacities for the transformation and processing of products. These losses are reported as unacceptable by the member countries, in national and regional contexts characterized by a high demand for food products, poverty, hunger, malnutrition and food insecurity.

33. Fish losses, lack of post-harvest facilities and capacities, traceability requirements and implementation of good handling practices are the main challenges reported, especially for small-scale operators, along with several difficulties in improving product diversification and adding value to the products.

34. Domestic controls, inspections and systems to verify quality and safety of fishery products throughout the supply chain need to be improved for the effective development of the fisheries sector, both for domestic markets and for international trade.

35. Development of a sustainable aquaculture industry has been reported as a challenge in many states and provinces to provide the post-harvest sector with an alternative to wild fish.
36. Environmental sustainability of traditional post-harvest practices has been also reported as a challenge by several members.
37. In general, more collaboration among the post-harvesters has been highlighted as a possible way to reduce costs and competition within the sector.
38. Implementation of traceability systems and measures to prevent/control/combat IUU fishing in some countries have just started and need to be improved gradually. The need to make traceability and other trade requirements more cost effective and risk-based has been highlighted, especially for the small-scale sector. The proliferation of ecolabelling, certification and traceability requirements has created a need for accreditation and has led to requests by Members for the establishment of guidelines and effective benchmarking systems.
39. In general, IUU regulations, ecolabelling, certification and traceability requirements are still reported as challenging issues in the post-harvest sector in order to be able to address unsustainable and illegal practices and other environmental and seafood quality issues.
40. Finally, the need to ensure that these new requirements are not implemented as potential barriers to trade was also stressed by many member countries.

#### **Current challenges related to international trade in fish and fisheries products**

41. As reported by most of the countries, international trade of fish and fishery products is constantly faced with the challenge of meeting international technical requirements, which are in most cases stringent, not consistent among countries and frequently changing. Among the different issues reported are the cost of compliance with these requirements (certifications and standards) and with World Trade Organization (WTO) rules and regulations (the Agreement on the Application of Sanitary and Phytosanitary Measures (SPS) and veterinary requirements), the absence of competent authorities and trade policies, the plethora of reporting and certification requirements, bilateral issues, lack of transparency in international markets and lack of equivalence in food safety and certification systems among international trade partners, limiting access to international trade for many member countries.
42. Exporting states are being asked to comply with an increasing number of market measures, which have different standards and processes. This is an issue for developing countries that often do not have the capacities and financial resources to comply with the number of certificates these regulations require. Countries noted that the impact of “economies of scale”, with respect to meeting international trade standards, was not applicable to small-scale processors/traders/fishers whose costs are higher, whereas private companies have more substantial resources to comply with the standards and to access international markets.

#### **Current challenges related to laws and regulations**

43. Many Members reported to have a fisheries policy and legislation established in full or partial conformity with article 11 of the CCRF or Fisheries Acts containing key provisions to address fundamental issues related to the development of the fisheries and aquaculture sector. Other countries reported inadequate/absent enabling policy, legal and institutional framework for fisheries and aquaculture.
44. Drafting and adoption of laws and regulations on fisheries and aquaculture is seen as a big challenge resulting from the dynamic nature of the fisheries and aquaculture sector, requiring constant and timely efforts to enforce and update regulations (especially with respect to emerging aquatic diseases and trade import/export technical requirements and standards). Lengthy processes and delays in endorsing and promulgating legislation were generally highlighted.

45. An umbrella act covering the most significant aspects of post-harvest operations (including specific laws on safety, quality, traceability and commercialization) and biosecurity for fish and fishery products is seen as a necessity.
46. The main challenge highlighted by most of the countries is the lack of proper coordination between the different competent authorities/departments/ministries responsible for the implementation of article 11 of the CCRF (e.g. veterinary and animal health, customs, fisheries and aquaculture, economy, industry and trade etc.) at different levels (federal, state and municipality levels).
47. In some cases, stakeholders are not aware of the existing legislative measures and regulatory frameworks. This is partially because laws and regulations are not always clear and easily understood, and do not cover all the different steps along the value chain or are not directed to all actors within the system.
48. Lack of political will and the lack of importance accorded to the fisheries and aquaculture sector, absence of capacities and resources for reinforced fisheries governance and control and insufficient interaction with stakeholders were also reported as key concerns.
49. Lastly, the need to develop laws addressing social, economic and environmental concerns related to post-harvest and trade practices, especially for countries and regions with a high potential for the sector, has been highlighted by some countries.

## **FAO ACTIONS TO SUPPORT THE IMPLEMENTATION OF ARTICLE 11**

50. FAO supports the implementation of article 11 in a variety of ways, including Regular Programme and technical activities within projects. Specific activities include international, regional and national workshops to disseminate and deepen the understanding of the CCRF, ongoing studies to develop technical guidelines to facilitate the implementation of the CCRF, capacity building activities, training and support to member countries for participation in relevant international conferences and events.
51. FAO support will be further channelled and improved, thanks to the inputs provided by member countries and summarised in this document. Member countries are always encouraged to seek support through the FAO Country and Regional Offices worldwide for the development of their fisheries and aquaculture sectors.

## **CONCLUSION**

52. The production of this document was only possible thanks to FAO Members' generous efforts in providing such numerous and detailed comments to the questionnaire.
53. The global response to the questionnaire indicates quite a substantial level of implementation of measures related to post-harvest practices and trade.
54. In general, several efforts and challenges in achieving the potential of the post-harvest and trade sector for fish and fishery products have been highlighted by member countries. Although many member countries reported improvements in fisheries management, more effort and resources are still needed to ensure that the remaining gaps for achieving full implementation of article 11 of the FAO Code of Conduct are addressed.
55. In particular, efforts will be needed to: implement quality and safety assurance systems, especially for those products consumed in the domestic market; increase controls mechanisms; limit post-harvest physical and quality losses; strengthen/create comprehensive national regulatory frameworks; support international dialogue and cooperation; increase capacities; and add value to fishery production.

56. Efforts are still needed to disseminate the CCRF and make it accessible to actors working in the post-harvest and trade sector, especially in the small-scale sector.

57. Strong commitment from governments, support by international organizations, awareness and ownership by stakeholders and actors along the value chain will be required in order to achieve the overall goals of protecting consumers' health and ensuring the long-term conservation and sustainable management of aquatic resources and ecosystems.



## ANNEX I

## DETAILED COMMENTS WITHIN EACH SECTION

<b>a. Current challenges related to quality and safety assurance systems</b>	
1.a	Lack of necessary financial resources is limiting investments to improve food safety and quality along the value chain.
2.a	Initial and final markets actors' (fishers, farmers, retailers and consumers) awareness of quality and safety issues were found to be very low. Mid-level actors (transporters, processors, wholesalers and agents) were found relatively more aware.
3.a	Limited/inadequate adoption or lack of Standard Operating Procedures (SOP) and HACCP plans as systematic preventive approaches to managing food safety and quality along the value chain because of budget constraints and lack of skilled operators.
4.a	Need to have national standards and legislations updated to meet international requirements and align with the Codex Alimentarius.
5.a	Limited/inadequate national laboratory services, lack of International Organization for Standardization (ISO) 17025 accredited laboratories, and lack of equipment and facilities to conduct testing for microbiological and chemical contaminants for fish and fishery products. Limited reliability of laboratory results, due to the lack of facilities and to limited technical capacities to conduct analytical methods.
6.a	Lack of control, monitoring and surveillance systems to protect consumers' health and prevent commercial frauds at national level.
7.a	Lack of human resources, e.g. fish inspectors, within the relevant government departments.
8.a	Need to make the systems more cost-effective.
<b>b. Current challenges in the post-harvest sector</b>	
1.b	The necessary infrastructures and post-harvest facilities are often absent or inadequate along the entire value chain, from vessels (which in many cases are not equipped with cold room facilities) to landing sites, road networks, collection centres, storage facilities, transportation logistics (i.e. lack of insulated containers and trucks) and markets, especially in small-scale fisheries. Landing sites are often reported as inadequate and need to develop more facilities to comply with sanitary conditions and to maintain quality and freshness of fish upon delivery.
2.b	In the absence of proper cold storage facilities, the remoteness of capture sites with respect to local markets is often reported as a main challenge.
3.b	Difficulties in implementing cold chain management in the supply chain, electricity constraints (power supply and high costs) and the need to find alternative sources of energy.
4.b	Lack of/inadequate human and technical capacities of actors along the value chain with regard to good practices and post-harvest related issues, particularly in the small-scale sector.
5.b	Inadequate packaging of the products, including lack of insulated cool boxes.
6.b	Inadequate labelling and/or mislabelling of fish species and commercial fraud.
7.b	The need to develop Catch Documentation Schemes (on species-by-species or product-by-product basis) to certify that fish and fishery products are not derived from IUU fishing has been highlighted, along with the need to facilitate international and multilateral cooperation in combating IUU fishing.
8.b	Insufficient promotion of fish for human consumption reflecting in cultural biases and incorrect food habits.
9.b	Absence of post-harvest research institutes.
10.b	Limited investment in the sector (value-addition structures, efficient and effective processing technology and equipment, among others), compromises the quality of fish and fishery products reaching consumers.

11.b	In some countries, fishing activities within the territorial waters are limited to artisanal fishing. Artisanal boats do not always meet basic hygiene, safety and quality standards as they lack the required facilities onboard (mainly ice holding containers and drinkable water to carry out proper cleaning and disinfecting operations); this leads to inappropriate handling of fish on-board.
12.b	There is a need to optimize handling of waste from by-products coming from post-harvest activities and to utilize bycatch, discards and other waste material. Full utilization of catches can only be made viable through legislation and innovation. This is linked to the need to develop markets and marketing opportunities for secondary and underutilized species.
13.b	Lack of public subsidies or incentives for businesses and the extremely high costs of post-harvest operations (including the high price of imported materials for processing) are limiting the competitiveness of domestically processed products compared with imported ones. Advances made at the national level with respect to value-addition and accomplishment of basic requirements are undermined by the introduction of cheaper and sometimes low-quality imports in domestic markets.
14.b	Difficulties in accessing credit for the development of the post-harvest sector.
15.b	Lack of accurate data and estimates of the status of stocks and inadequate capacities/resources to collect data and generate statistics/mapping systems in support of sustainable fisheries management. Most of the countries reported that management measures are undermined by data gaps (including difficulties in the evaluation of post-harvest losses).
16.b	Absence of political commitment in some countries.
17.b	Need to integrate resilience and climate change issues into the management of post-harvest sector.
<b>c. Current challenges related to international trade in fish and fisheries products</b>	
1.c	Need to establish clearer rules of origin, more specifically in relation to the place where the product is processed.
2.c	The need to harmonize common names of fish and fisheries products.
3.c	Weak controls on imported fish by developing countries and difficulties of regulating the quality of fish and fisheries products that are imported.
4.c	Lack of reliable statistics and information about international prices and fish volumes traded at the national-regional-international levels.
5.c	Volatility of prices.
6.c	High operational costs and lack of/weak logistics and supply chains to speed and ease the prompt transport of fish and fishery products, avoiding long periods of storage.
7.c	Need to participate more actively in the WTO and other international meetings.
8.c	Lack of capacities to study the external markets and to develop commercial strategies.
9.c	Lack of institutional and regulatory frameworks.
10.c	Inspection of vessels continues to be a rather difficult issue as the catch certificates have to be issued without delays.
11.c	Imports of fish from other countries are affecting the viability and growth of the domestic industry in some countries, because of the non-imposition of tariffs on foreign products.
12.c	Competition with highly subsidized fleets in certain markets.
13.c	Difficulties in obtaining EU Generalized Schemes of Preferences (GSP), facilitating developing country exporters' access to European Union (Member Organization) markets and contributing to their economic growth.
14.c	Development and application of standards are not always substantiated by appropriate risk-based assessments.
15.c	Issues related to anti-dumping measures to protect domestic markets.