

Canadian Code of Conduct for Responsible Fishing Operations

CONSENSUS CODE 1998

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INTRODUCTION

The Canadian fishing industry is committed to the achievement of sustainability in marine and freshwater fisheries. The industry has therefore developed this Code of Conduct for Responsible Fishing Operations as an essential step in pursuit of this objective.

The Canadian Code of Conduct for Responsible Fishing Operations outlines general principles and guidelines for all commercial fishing operations that take place in Canadian waters. Implementation of the Code will contribute directly to the conservation of stocks and the protection of the aquatic environment for present and future generations of Canadians.

Bearing in mind that Canada played a leading role in the development of the U.N. Food and Agriculture Organization (FAO) Code of Conduct for Responsible Fisheries, this Canadian Code of Conduct is consistent with, and in no way diminishes, the FAO Code.

The Canadian Code of Conduct is based on the following fundamental points of agreement:

1. That the Code of Conduct for Responsible Fishing Operations is applicable for all participants in commercial fishing operations in Canadian waters;
2. That there are four distinct fishing regions in Canada: Atlantic, Pacific, Arctic and inland fisheries, and each region will require specific mechanisms and regulations to address the unique problems and needs of their fisheries;
3. That nothing in this Code will serve to justify or impose any allocation or sharing of freshwater or marine resources;
4. That Conservation Harvesting Plans or Fisheries Management Plans should incorporate the Code of Conduct.

In developing this Code, Canadian commercial fish harvesters expect that other users of marine and freshwater resources will develop their own codes of conduct within the FAO framework to contribute to the sustainability of those resources. It is also expected that Canadian

fisheries regulatory agencies will take appropriate steps to bring their fisheries management policies and practices into line with this Code and will make themselves accountable to the resources users in this regard.

The Code of Conduct for Responsible Fishing Operations articulated by Canadian fish harvesters has at its core a philosophy of responsible fishing. Based on this philosophy, fish harvesters who have ratified this Code will pursue the following principles:

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## PRINCIPLES

### Principle #1

Fish harvesters will take appropriate measures to ensure fisheries are harvested and managed responsibly to safeguard sustainable use of Canada's freshwater and marine resources and their habitats for present and future generations of Canadians.

For the purposes of this Code, sustainability is understood to mean the harvesting of a stock in such a way, and at a rate, that does not threaten the health of the stock, or inhibit its recovery if it has previously been in decline, thereby maintaining its potential to meet the needs and aspirations of present and future generations of fish harvesters.

### Principle #2

Taking into account the economic importance of the fisheries to industry participants and their communities, fish harvesters will take appropriate measures to pursue the ecological sustainability of Canadian fisheries.

### Principle #3

Fish harvesters will acknowledge that conservation and sustainable use of freshwater and marine resources is a shared responsibility, and requires a spirit of cooperation, among all industry participants and the appropriate regulatory authorities.

### Principle #4

Fish harvesters will address problems of fisheries in Canada, adopting specific mechanisms and regulations as required.

### Principle #5

Fish harvesters will work to balance the level of fishing effort with the sustainable supply of fisheries' resources to ensure responsible management and responsible professional harvesting.

Principle #6

To the extent practical, fish harvesters will minimize unintended bycatch and reduce waste and adverse impacts on the freshwater and marine ecosystems and habitats to ensure healthy stocks.

Principle #7

Fish harvesters will develop, maintain and promote public awareness and understanding of the issues surrounding responsible fishing and the measures taken by fishers to conserve stocks and protect the environment.

Principle #8

Fish harvesters will promote the recognition of their specialized knowledge gained through experience, and the integration of this knowledge within scientific analyses and fisheries management policies and regulations.

Principle #9

Fish harvesters will conduct harvesting operations in accordance with Canadian fisheries' laws and regulations; international laws, regulations, conventions, declarations and protocols adopted by Canada; and harvesting plans adopted by each fishery.

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GUIDELINES

Guideline #1.1

Apply sustainable fishing principles and sustainable fisheries development to all aspects of fish harvesting and management of fisheries.

Guideline #1.2

Practice environmentally sound waste management in all aspects of harvesting operations.

Guideline #1.3

Optimize energy consumption in fishing operations where possible.

Guideline #1.4

Adopt practices that would minimize emissions of dangerous substances arising from harvesting operations to meet national standards.

Guideline #1.5

Establish fisheries policies in full consultation with management and other regulatory agencies to ensure conservation of fish resources and protection of the environment.

Guideline #1.6

Recognize and support efforts to balance the economic needs of fish harvesters and industry with the short- and long-term needs of resource sustainability.

Guideline #1.7

Work in full consultation with management, other regulatory agencies, and all interested groups to consider the possible introduction of marine protected areas.

Guideline #2.1

Develop protocols (including, when practical and appropriate, the use of selective fishing gears and practices) regarding the catch of non-targeted resources which jeopardize the health of the stocks.

Guideline #2.2

Use only gear authorized for use in a particular fishery.

Guideline #2.3

Ensure fishing activities are not conducted in a fashion that would endanger fish stocks or the environment.

Guideline #2.4

Conduct, in consultation with relevant sectors, research to assess fishing gears, and promote and utilize new fishing gears and practices which are consistent with sustainable fishing practices.

Guideline #2.5

Assist, initiate, and participate in research and assessment initiatives aimed at resource and environmental protection.

Guideline #2.6

Employ fishing practices that minimize the risk of gear loss.

Guideline #2.7

Establish jointly with regulatory agencies protocols for the marking, retrieving and reporting of lost gear.

Guideline #2.8

Make every reasonable effort to retrieve lost fishing gear, reporting all lost gear.

Guideline #3.1

In conjunction with the relevant regulatory agencies, establish and comply with guidelines for vessel maintenance and operation that ensure and safeguard a healthy environment for crew members.

Guideline #3.2

Mark vessels and gear in accordance with systems adopted by Canada's regulatory agencies so that vessels are easily identified.

Guideline #3.3

Avoid interfering with fisheries operations being carried out by other vessels.

Guideline #3.4

Maintain the quality of the catch.

Guideline #4.1

Where appropriate, establish, in consultation with relevant regulatory agencies and industry groups, effective monitoring systems to monitor and evaluate the adherence to sustainable development principles and practices.

Guideline #5.1

Establish and maintain a spirit of co-operation with those involved in fisheries operations, management, science, and technology.

Guideline #5.2

Co-operate with management and science to develop policy and action

plans for sustainable fishing operations.

Guideline #5.3

Assist with the establishment of effective mechanisms to ensure consultation and active participation of fish harvesters in the planning, development, conservation, and management of Canadian fisheries, recognizing that full co-operation among gear sectors and species-specific fisheries will facilitate conservation and sustainable use of freshwater and marine resources.

Guideline #5.4

Acknowledge and embrace the interdependence of harvesting operations and fisheries management

Guideline #5.5

Cooperate with fisheries management to integrate and balance the experience, expertise, and acquired knowledge of practicing professional fish harvesters with the best scientific research available.

Guideline #5.6

Cooperate with industry and other fish harvesters to identify issues related to protection of the resource and the environment.

Guideline #5.7

Cooperate with appropriate regulatory authorities to establish sound waste management policies and procedures.

Guideline #5.8

Cooperate with appropriate regulatory agencies to investigate ways and methods to optimize fuel consumption and other energy savings and to establish energy conservation policies and procedures.

Guideline #5.9

Cooperate with fisheries management to address problems experienced by individual Canadian fisheries and where there is a shared or overlapping jurisdiction, work cooperatively towards a fair and agreed basis for conducting individual fisheries.

Guideline #6.1

Assist in the development of and participate in education and training programs that emphasize responsible fishing and sustainable development

practices.

#### Guideline #6.2

Promote the development of education and training programs designed to enhance the skills of responsible fishing adapted to specific fisheries.

#### Guideline #6.3

Participate in the planning and implementation of research and assessment initiatives aimed at protecting the biodiversity of the freshwater and marine ecosystems and their habitats.

#### Guideline #6.4

Collect and provide research and assessment data related to fishing activities.

#### Guideline #6.5

Support research initiatives aimed at minimizing adverse impacts to the resource and the environment.

#### Guideline #7.1

Assist in the promotion of public awareness and understanding of the issues and benefits surrounding responsible fishing, the industry's involvement in sustainable development initiatives, and measures taken to conserve fish stocks and protect the aquatic environment.

#### Guideline #7.2

Assist in the dissemination of information to the general public and to fish harvesters and their organizations regarding conservation principles, conservation measures taken by fish harvesters, and rules and regulations formulated in consultation with management.

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## ANNEX 1 Plan for Governance and Ratification of the Canadian Code of Conduct for Responsible Fishing Operations

### 1. OPERATIONAL CONSIDERATIONS

This approach is based on the following considerations:

1. The Code will, of necessity, be a "living document" subject to

continuing revision and elaboration.

2. The Code will be managed by a newly created Industry Board reflecting the character and nature of Canada's fishing industry.
3. Implementation of the Code will require the services of a Secretariat to support the full and effective participation of industry.
4. The new governance body for the Code will be structured to take account of the limited financial resources available from government and industry.

#### 1.1 Proposed Roles and Responsibilities for the Code Board

Following the National Fishing Industry Workshop the Code Steering Committee will be replaced by a formally constituted National Board with the following responsibilities:

1. oversee the ratification of the Code, ensuring that all industry organizations are included in the process and that the process is fully transparent;
2. conduct annual meetings to address proposals for changes to the Code text, on the understanding that no such changes will be put into effect without ratification by industry according to the guidelines for ratification set out below;
3. oversee ongoing activities in support of the Code and its implementation, including communications and promotion;
4. represent the Code in dealings with Canadian government agencies and international bodies;
5. direct and oversee the activities of the Secretariat to support the Code.
6. at the end of three years, conduct full consultations with industry to evaluate the roles and functioning of the Board and to consider appropriate changes in the Board's mandate, structure and operations. The question of the continuing need for the Board should be assessed at this time.

#### 1.2 Proposed Structure of the Board

Inshore -				
Midshore (>100')	Offshore Global	Total		Umbrella Group
Arctic		1	1	
Freshwater		2	2	
Aboriginal Commercial Fish harvesters determined		1	1	To be

Pacific Coast			3	3	CFIC
Atlantic Coast fleets	4	1	1	6	CCPFH/FCC/midshore
Total	4	1	8	13	

Board members would be selected through the following steps:

- \* The Arctic marine fisheries representatives at the National Industry Workshop, in consultation with other groups, would together pick one Board Member.
- \* The Ontario Commercial Fishermen's Association would select one freshwater representative, and the other freshwater representative from the western provinces and the Territories would be selected through the elected Advisory Committee to the Freshwater Fish Marketing Corporation.
- \* For the Pacific region, the Commercial Fishing Industry Council of British Columbia (CFIC), in consultation with the B.C. affiliates of Canadian Council of Professional Fish Harvesters (CCPFH), would select three Board Members.
- \* For the Atlantic fisheries, the CCPFH would select four representatives from the inshore (<65') sector, the Fisheries Council of Canada (FCC) would select one representative for the offshore (>100'), and representatives of midshore mobile gear fleets (45' to 100') that aren't affiliated with either body would select one Board member.

It is further proposed that individual Board members would serve for a maximum of three years.

### 1.3 The Code Secretariat

Given the limited financial resources to support the implementation of the Code, and the clear agreement that the Code should not involve extra costs to the fishing industry, it is proposed that the DFO will continue to provide Secretariat support.

Following the National Industry Workshop the Secretariat will operate under the direction of the new Board.

## 2. RATIFICATION OF THE CODE

It is proposed that the ratification of the Code will involve the following steps:

1. the National Fishing Industry Workshop will agree on a Code text and proposals for governance;
2. the new Code Board will send out the Code text and governance proposals to all organizations representing fish harvesters for discussion and ratification according to the policies and

procedures of each organization;

3. these organizations will either ratify or reject the Code and the governance proposals;
4. within six months after the National Fishing Industry Workshop, the newly constituted Board will communicate to appropriate fisheries Ministers the names of the industry organizations that have ratified the Code;
5. organizations that ratify the Code will be expected to promote adherence to the Code by their members in their harvesting practices, and also to cooperate with the appropriate government regulatory agencies to adjust their Conservation Harvesting Plans to reflect the provisions of the Code.

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