



Fisheries  
Transparency  
Initiative

# FiTI Board Circular

Board Circular No. 16

**ID: BC-16\_2024**

**Requested by:** FiTI Chair  
**Submitted by:** FiTI International Secretariat  
**Submitted on:** 27.06.2024  
**Decided on:** 13.07.2024

## Preamble

In accordance with article 15 of the constitution of the association of the Fisheries Transparency Initiative (as of May 13<sup>th</sup>, 2021), *'the FiTI International Board shall make urgent decisions between Board Meetings, based on Board Circulars.'*

## Purpose of this Circular

The purpose of this Circular is twofold:

- 1) Approve an updated version of the FiTI's Global Code of Conduct (2.0, draft date: 27 June 2024); and
- 2) Approve Ecuador's second request to extend the deadline of its 1<sup>st</sup> annual FiTI Report (covering calendar years 2022 and 2023) from 31 May 2024 to 31 July 2024.

## Decision required #1: Approving an updated FiTI Global Code of Conduct (2.0)

The FiTI's reputation as an initiative promoting good governance in fisheries, in particular transparency, participation and accountability, is one of its greatest assets. Activities in implementing countries as well as its international administration and governance play an important role in creating and maintaining this reputation.

During the FiTI International Board's 5<sup>th</sup> meeting (December 2018) the FiTI's Global Code of Conduct was approved (version 1.0). The purpose of this Code is to prevent situations that could compromise FiTI's national and international reputation or ongoing work by setting out norms of conduct that are expected of those involved in the FiTI. The Code is applicable to national stakeholders (e.g. members of a National FiTI Multi-Stakeholder Group) as well as international stakeholders (e.g. members of the FiTI International Board, employees of the FiTI International Secretariat).

Since then, important lessons have been learned that require an update of the current Code. In addition to several minor wording changes, this includes particularly the following three aspects:

- **Updating the 'Conflict of Interest' provision:** It is recognised that, by design, many of the stakeholders involved in the FiTI have inherent conflicts of interest as they represent the voices and interests of the groups they work or are involved with. The updated Code does not seek to eliminate these inherent conflicts but to manage them to maintain transparency, fairness, and the integrity of decision-making processes. Therefore, a detailed explanation of situations that might trigger a conflict of interest has been drafted.

Please consider that this document also describes the overall norms of good conduct expected to be followed by any FiTI Stakeholder, as defined by the document.

- **Introducing a new chapter on disclosing and addressing conflict of interests:** Given that such conflicts in a multi-stakeholder partnership, such as the FiTI, can never be fully avoided, a new chapter has been included, which outlines how such conflicts should be disclosed and addressed. This new chapter covers national FiTI implementations as well as the international administration and governance of the FiTI.
- **Updating the chapter on voicing concerns:** The previous Code included only basic provisions on handling concerns about an interpretation, application or suspected violation of the Code. This chapter has now been extended significantly, covering national and international aspects. This chapter also announces the upcoming global 'Voicing Concern' channel to be hosted on the FiTI website.

In order to facilitate understanding of the proposed changes, modifications have been marked in track changes in the draft document.

**Decision required\_#1: Does the FiTI International Board approve the attached 'FiTI Global Code of Conduct' (version 2.0, draft date: 27 June 2024)?**

Additional recommended wording changes to the Code (e.g. clarification of provisions, correction of spelling errors, etc.) that do not impact the overall approval of the Code should be communicated directly to the FiTI International Secretariat, copying the FiTI Chair.

## Decision required #2: Approving Ecuador's 2<sup>nd</sup> extension request

In accordance with section C.1.2 of the FiTI Standard, an implementing country may apply for an extension if it is unable to meet the required deadlines of FiTI implementation (e.g. publication of an annual FiTI Report) due to exceptional or unforeseen circumstances.

On 31 October 2023, the FiTI Chair received the first extension request from Ecuador's FiTI National Lead (Mr Andrés ARENS HIDALGO) regarding submitting the country's 1<sup>st</sup> annual FiTI Report (covering the calendar year 2022). In accordance with section B.2.2. of the FiTI Standard, the publication of this report was due by 31 December 2023. Ecuador's Multi-Stakeholder Group (MSG) requested a 5-month extension, seeking to publish this report by 31 May 2024. This extension request was approved by the FiTI International Board via Board Circular No. 14 [BC-14\_2023\_D-03].

Despite significant advancements during the first months of 2024, the National MSG was unable to maintain this initial extension deadline, mainly due to delays in contracting Report Compilers<sup>1</sup>, difficulties in obtaining FiTI-relevant information from key authorities, including the Galapagos National Park Authorities, as well as an ongoing challenging economic and security situation in the country, which is well known.

On 2 May 2024, the FiTI Chair received the second extension request from Ecuador's new Vice-Minister of Aquaculture and Fisheries, María Rafaela Hurtado Espinosa, requesting an extension of the 1<sup>st</sup> FiTI Report deadline until 31 July 2024, on behalf of the country's FiTI National MSG.<sup>2</sup>

In order to compensate for the significant delay in publishing a FiTI Report for calendar year 2022, the FiTI National MSG decided to include also the calendar year 2023 in this 1<sup>st</sup> Report. The publication of information for calendar year 2023 would then be significantly ahead of the deadline (which is 31 December 2024). Both calendar years will cover all 12 thematic areas of the FiTI Standard.

**Decision required\_#2: Does the FiTI International Board approve Ecuador's second request (dated: 29 April 2024) to extend the due date of the country's 1<sup>st</sup> annual FiTI Report for calendar years 2022 and 2023 to 31 July 2024?**

## Due date for this Board Circular

Eligible Board Members must reply to this Board Circular no later than **Friday, 12 July 2024**, in writing (via email) and cannot assign a proxy.

## Decision-making procedures for this Board Circular

In accordance with the constitution of the FiTI, Article 15 (5), "*Decisions requested through Board Circulars are adopted by qualified majority requiring the support of three quarters of the total number of members and must include the support of at least two members from each stakeholder group.*"

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<sup>1</sup> Due to procurement regulations of the sponsoring entity (i.e. United Nations Office on Drugs and Crime) three individual Report Compilers had to be contracted. Since then, one of the initially contracted Compilers had to be replaced to due poor performance.

<sup>2</sup> As priority was given to the approval of FiTI's recent membership policy via a Board Circular in May/June, it was decided by the FiTI Chair and the ED of the FiTI International Secretariat to include this extension request in this Board Circular.

The provisions of Article 14 (13-16) apply to the decision-making procedures through Board Circulars. As the current total number of members is not equally distributed among the stakeholder groups stated in Article 8 of the constitution, not every member has one vote. Instead, the voting power is determined on a pro-rated system, ensuring that all stakeholder groups have equal voting power.

Furthermore, there is one apparent conflict of interest involving a Board Member.

- Regarding decision number #2 ('Ecuador's 2<sup>nd</sup> second extension request'), Board Member Andrés ARENS (Government sector) must recuse himself from this particular decision, due to the fact that Andrés was the previous Vice-Minister of Aquaculture and Fisheries of Ecuador and is also an Ecuadorian citizen. Andrés does not need to recuse himself from the other decision item.

The pro-rated voting powers for this 16<sup>th</sup> Board Circular of the FITI International Board are as follows:

Stakeholder group	Voting powers for 'Code of Conduct 2.0'		Voting powers for 'Ecuador's 2nd extension request'	
	Number of voting members	Voting power per member	Number of voting members	Voting power per member
<b>Government sector</b>	4	<b>1.5</b>	3	<b>2.0</b>
<b>Business sector</b>	5	<b>1.2</b>	5	<b>1.2</b>
<b>Social sector</b>	6	<b>1.0</b>	6	<b>1.0</b>

This Board Circular is adopted if at least 13.5 votes support this decision, including two members from each stakeholder group.

## Results protocol: Approval / Denial of Circular

This Board Circular was sent on 27 June 2024 to all eligible Board Members via email. The following results were recorded:

Name:	Stakeholder Group:	Sent on:	Responded on:	Decision 1: CoC - Approval?	Voting power:	Decision 2: Ecuador - Approval?	Voting power:
Andres Arens	Government sector	27.06.2024	28.06.2024	Yes	1.5		
Roy Clarisse	Government sector	27.06.2024	11.07.2024	Yes	1.5	Yes	2.0
Joacim Johannesson	Government sector	27.06.2024	03.07.2024	Yes	1.5	Yes	2.0
Annika Mackensen	Government sector	27.06.2024	02.07.2024	Yes	1.5	Yes	2.0
Keith Andre	Business sector	27.06.2024	03.07.2024	Yes	1.2	Yes	1.2
Hugh Govan	Business sector	27.06.2024	01.07.2024			Yes	1.2
Tony Lazazzara	Business sector	27.06.2024	01.07.2024	Yes	1.2	Yes	1.2
Dawda Foday Saine	Business sector	27.06.2024	01.07.2024	Yes	1.2	Yes	1.2
Alfredo Sfeir	Business sector	27.06.2024					
Maisie Pigeon	Social sector	27.06.2024	03.07.2024	Yes	1.0	Yes	1.0
Ahmed Senhoury	Social sector	27.06.2024	02.07.2024	Yes	1.0	Yes	1.0
Annie Tourette	Social sector	27.06.2024					
Ketakandriana Rafitoson	Social sector	27.06.2024	02.07.2024	Yes	1.0	Yes	1.0
Umair Shahid	Social sector	27.06.2024	02.07.2024	Yes	1.0	Yes	1.0
Zacari Edwards	Social sector	27.06.2024					

Approval of Circular - Rule I: At least 13.5 votes in favour of supporting the decision:

13.6

14.8

Approval of Circular - Rule II: At least 2x 'Yes' from stakeholder group 'Government':

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3

At least 2x 'Yes' from stakeholder group 'Business':

3

4

At least 2x 'Yes' from stakeholder group 'Social':

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Based on these responses, the following decisions have been determined:

#### Decision [BC-16\_2024\_D-01]:

The International Board approved the 'FiTI Global Code of Conduct' (version 2.0, draft date: 27 June 2024), as attached to this Circular.

#### Decision [BC-16\_2024\_D-02]:

The International Board approved Ecuador's second request (dated: 29 April 2024) to extend the due date of the country's 1<sup>st</sup> annual FiTI Report for calendar years 2022 and 2023 to 31 July 2024.

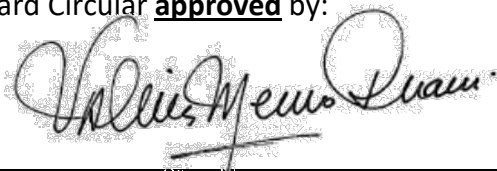
Board Circular **provided** by:



Mr Sven Biermann

Secretary of the Board Circular; Executive Director  
of the FiTI International Secretariat

Board Circular **approved** by:



Dr Valeria Merino

Chair of the FiTI International Board