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Joint Europêche and EAPO position paper on International Ocean Governance

Replying to the targeted consultation of the European Commission

Europêche and EAPO are well aware of the importance of healthy oceans for the potential of EU maritime sectors which calls for the need of international ocean governance. Biodiversity is the natural capital of the fisheries sector which is delivering ecosystem services that form the basis of our economy. Its deterioration will undoubtedly hamper the ability to continue to provide our sector with healthy resources on the long term, leading to a loss of wealth and employment, as well as a loss of high-quality animal protein with the lowest environmental impact. Integrated sustainable management is the best way to protect natural resources and safeguard socio-economic development. Therefore, international ocean governance should address environmental issues on a cross-sectoral basis, without framing environmentalists versus the industry, but ensuring an equal treatment to all maritime economic activities and a level playing field. Furthermore, development and food security considerations should be integrated into biodiversity objectives, and vice versa.

The existing fisheries framework is efficient and effective enough to sustainably manage our marine resources and to protect marine biodiversity. More precisely, it manages the impacts of fisheries alone, with the European Union as a contracting party to the UN Convention on the Law of the Sea (UNCLOS) having ratified the UN Fish Stocks Agreement as well as the Food and Agriculture Organization (FAO) Compliance Agreement. A new governing body for fisheries would jeopardise the great progress already accomplished by institutions set up under UNCLOS such as Regional Fisheries Management Organisations (RFMOs), Regional Seas Conventions (RSC) and EU Advisory Councils, and would go against the spirit of the Common Fisheries Policy (CFP) by being overly broad and general. With the amount of RFMOs and other international fora in mind, it makes it hard to argue that the existing framework is incomplete. Yet, the sector sees the need to promote RFMOs for unregulated species and areas in the high seas, reinforce the role and binding nature of RFMOs, capacity building, data collection, integrated responses to ocean challenges and strive for 100% stock management in all seascapes.

While it is true that global issues demand global action, the European Commission cannot seek its legitimacy using its exclusive competence for fisheries to regulate ocean issues which are much broader and therefore need integrated responses. When it comes to improvements, RFMOs need to be strengthened and promoted, inter-agency cooperation and cross-institutional dialogue should be promoted as well). Actions should be focused on areas rather than targets when assessing exerting human pressures. This is a straightforward way of having an integrated approach to maritime affairs and of an increasing global coherence of management measures.

The current structure is not the problem, it is more about the willingness of the countries to apply and respect the rules. States do not always find it in their interest to implement agreements or cannot

afford it given that meaningful management has huge economic, social and political implications that should be taken into consideration. Nonetheless, the EU should focus precisely on this, on persuading countries to become party to relevant ocean instruments and implement them, and to use market access and trade agreements to promote the EU sustainability standards.

The EU has an important leader position when it comes to sustainable fisheries governance, and should foster and promote what has been achieved already internally beyond its borders. The leading by example approach of the EU on these questions shouldn't translate into overregulation. EU measures should not put its own industry at a competitive disadvantage.

Given the EU's prime position on the market for fisheries products, the tools to align our trading partners with our policies and principles when it comes to sustainability and ocean governance, are in the EU's hands. With the above mentioned in mind, Europêche and EAPO feel that in order to uphold the objectives of the ocean governance pillars and in light of the EU Green Deal and its encompassing strategies, more should be done within the existing framework on:

1. **Management:** Continue with and push for science-based fisheries management and improved control worldwide as a measure of conservation, following FAO recommendations. Balance blue growth with nature resources and environmental needs. Ensuring proper management as the most efficient way to achieve the UN Sustainable Development Goal (SDG) 14 while achieving other equally relevant SDGs such as food security and socio-economic development simultaneously. Sectoral approach would lead to certain failure, an illustration of this is that all apparent threats to our oceans like oil spills, pollution, invasive species, urban run-off, acidification, climate change or raising sea-levels do require an integrative and cross-sectoral strategy;
2. **SDGs:** In line with UN's strategy, the EU should implement an integrated vision when considering the 2030 Agenda for Sustainable Development. This translates into managing marine space while taking equally into account the food production (SDG2), the low carbon footprint of wild caught fish protein (SDG 13), the health benefits of seafood (SDG3) and the need for socio-economic development (SDG 8). When the Commission puts one objective above the other (for instance proposing 30% of electricity demand to be supplied by offshore wind farms or 10% strict protection zones), not only does it drive fishermen out of their traditional fishing grounds, but it also jeopardises their essential role in safeguarding food security (as recognised by the Paris Agreement) and thus frontally collides head-on with the objective of other SDGs;
3. **Level playing field:** The whole of the 'blue economy' activities, including new ones, should be assessed with regards to their additional pressure put on the oceans. Prior impact assessments are necessary to better understand the increasing pressure the industrial developments put on the marine environment. From a fisheries perspective, increasing competition for space leads not only to displacement and frictions with other sectors but also implies far reaching environmental and socio-economic consequences;
4. **MPAs:** Existing MPAs are inadequately enforced, poorly monitored and in many cases do not reach the purpose they were designed for. There is little point in expanding tools which are not effective in the first place neither brought positive results in many cases. Any MPA needs to have clear objectives, be a participative process and define what, why, and how it wants to protect while supporting its claim on science-based evaluations. Fencing-off some areas does not reduce fishing effort but rather displaces it, putting an increased more centralized pressure on other fishing grounds. MPAs are not effective against pollution or certain sea uses that affect ecosystems. As for fisheries, the sector fully endorses the FAO target of 100% of

seascapes to be sustainably managed on the basis of the ecosystem approach. Furthermore, the sector also agrees with the need to make better use of all conservation tools, such as 'Other effective Area Based Conservation Measures' (OECMs) which are underutilised if compared to MPAs. The Commission should drop its proposal to create 10% strict protection zones within protected areas that are closed to human activities. This initiative has been dropped as a possible target by CBD parties and stakeholders and would have a huge impact not only on food production but also on the livelihood of many fisheries-dependent coastal communities;

5. **Climate change:** Climate change impacts greatly the marine environment and therefore the fishing sector. It needs to be tackled as part of the international ocean governance agenda. Fisheries emissions must be understood with regards to the volumes of food produced. Wild-caught fish is the animal protein with the lowest carbon footprint. However, adaptation measures to increase resilience to climate change have to be incorporated in the fisheries management systems and the ocean governance framework;
6. **RFMOs:** The EU should expand and strengthen the work of RFMOs. Above all, coordination is necessary to ensure policy coherence of their regulatory frameworks and unlock potential synergies. Capacity building and cooperation, particularly on control and scientific data sharing is key in this respect;
7. **IUU:** IUU fishing constitutes one of the most serious threats to marine ecosystems and jeopardises the very foundation of the CFP and international efforts to promote better ocean governance. Despite the IUU EU Regulation in place, it remains essential to monitor and assess the effectiveness of the policy;
8. **Decent work and safety:** It must be noted that European IUU legislation makes no reference to substandard living and working conditions of fishers as a denominator of illegal fishing activities. The EU should therefore increase efforts in cooperation with its partners to further promote decent work in the maritime sectors, such as the build-in of flag State measures under Article 94 of UNCLOS within SFPAs, the ratification and enforcement of ILO Conventions including the Work in Fishing Convention 2007 (No 188). Other important international instruments produced by UN Agencies such as IMO and FAO such as the Cape Town Agreement, the STCW-F or the Port State Measures Agreement should be globally promoted. In addition, the EU should use its custom competences to prevent services and seafood produced under illegal working conditions from entering the EU market;
9. **SFPAs:** SFPAs are the perfect instrument to be used by the EU to encourage third countries to not only actively tackle IUU fishing, but also to strengthen regional management policies (and thus achieve better results within RFMOs), and to enhance the sustainable development of fisheries in the partner countries. The implementation of the social clause of SFPAs should be given more consideration and better evaluated. Coherence and synergies between the use of sectoral support like providing training facilities for local fishers would benefit both local and EU vessel owners;
10. **Data and science:** While the fishing industry will uphold its efforts in working together with the scientific community, the EU has a role to play in acknowledging such work and incorporating it into scientific assessments. Additionally, full use of the EMFF funds available should be achieved to improve the knowledge on fish stocks, in particular a bigger share of the funds directed towards data processing. The EU should also create capacity building within RFMOs and developing coastal states for the collection of data, and deliver a greater sharing, accessibility, and coordination between countries of data and science. The data produced for fisheries management purposes should also be considered to regulate the impact and

activities of other maritime industries to make sure ocean ecosystems and resources are preserved;

11. **Relevant stakeholders:** Regarding the high complexity in managing marine areas, it is paramount that stakeholders and authorities are consulted and involved from an early stage in sustainable ocean management and that one builds upon the experience and existing knowledge of RSCs and RFMOs. Closer relations with key coastal states their authorities and other international and national stakeholders is needed to create support and greater involvement which strengthens bilateral and multilateral relations, and thus ocean governance;
12. **Control and enforcement:** All of the above standards would only be ensured and effective if accompanied by a strong control system. Digital tools such as the CATCH-system can aid in this and provide an easier way to ensure rules are respected; to check the legality of imports; compliance with the CFP, and RFMO measures. Moreover, an international register of fishing vessels should be achieved, the wide-spread use of unique identifier for ships (such as the IMO number) as well as improved coordination and harmonisation of import controls across Member States.

While existing international regulations on oceans sustainability need to be enforced, the European fishing industry regards an additional 'overarching body' at UN level as an unproductive additional layer of legislation, especially for fisheries. Europêche and EAPO trust that you will take into account the above considerations.