

THE IMPORTANCE OF THE EXTERNAL DIMENSION FOR EUROPEAN FISHERIES

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1. Introduction:

The fleet of 9 coastal States of the EU has been present in seas and oceans all over the world for centuries (for instance, there is proof of the presence of fishing vessels in Newfoundland since the 15th-16th centuries) but it became an industrial activity in the XX century.

The EU common fisheries policy started to acquire its own identity at the beginning of the 1970's, when it was still included in the common agricultural policy, with the establishment of quotas for the seas and the accession of countries that had important fleets (Denmark, United Kingdom, Ireland...). These changes forced the Community to respond to specific fishing problems, such as access to common resources, conservation of stocks, structural measures for the fishing fleet and international relations.

Factors such as the coming into force of the United Nations Convention on the Law of the Sea (UNCLOS) which established the Exclusive Economic Zones (EEZ) or the accession of countries with a long fishing tradition such as Spain and Portugal to the EEC in 1986. The EU achieved this by signing bilateral agreements (based on partnership and cooperation) and multilateral agreements (based on trade) with third countries and international organisations, as well as through their participation in regional fisheries management organisations (RFMOs) and fisheries investments abroad. Through these instruments, the EU long distance fleet became an essential component in ensuring the supply of fish in the European market.

The EU market is the largest importer of fish products worldwide (24%) and one of the most important ones in terms of fish production and consumption. The EU market is subject to strict measures in terms of traceability, verification of catches and fight against IUU fishing, currently one of the leading voices in international forums for the defence of responsible fishing activities, the promotion of a better governance and fisheries management at international level and the application of European standards for the management and control of fleets.

Nowadays, over one fourth of the fish caught by European vessels comes from non-EU waters. Of them, about 8% correspond to fisheries agreements with third countries and 20% are fished in the high seas, mainly in areas within the jurisdiction of the RFMOs.

Regarding the fisheries census, according to Eurostat data from 2011, there are about seven hundred fishing vessels bearing the flag of an EU country that are fishing outside the EU, accounting for nearly 25% of the tonnage capacity recorded for the EU fleet. Furthermore, it is worthwhile to highlight the importance of the EU fishing investments in third countries. A working document from the European Parliament (2012) identifies 118 companies or operators with 321 vessels with flags from 24 non-EU countries that catch around 500,000 tones of fish every year which is mainly imported into the EU market.

2. Priority axes of the fisheries external dimension

1) Fisheries cooperation and partnership agreements with third countries

The emergence of the Exclusive Economic Zones (EEZs) as a result of the coming into force of the United Nations Convention on the Law of the Sea (UNCLOS) in 1982 brought about the need to negotiate fisheries agreements with third countries to gain access to those fishing grounds.

The European Commission suggested that fisheries relations between the EU and other countries should stop being regulated by means of access agreements and Fisheries Partnership Agreements (FPAs) be adopted, since the latter enable the EU to determine the means to attend to the needs of each and every third country.

This new form of bilateral agreements is called Sustainable Fisheries Partnership Agreement (SFPAs). They give more importance to the sustainability of the resource and the contribution to the development of third countries, provided that there is a surplus of resources declared by the coastal country. In fact, if well conceived, they can provide the appropriate legal and financial framework that will contribute to the progress of the fisheries sector in third countries.

As important as the technical and financial aspects of the fisheries agreements, a key issue that is at the heart of the SFPAs is the promotion of transparency, accountability and stakeholder's participation, as well as increased linkages with EU aid programmes, to jointly support sustainable fisheries development in third countries.

2) Regional Fisheries Management Organisations (RFMOs)

RFMOs are intergovernmental bodies where Member States with fisheries interests in a specific geographical area, and which are contracting parties, adopt common rules for a shared management of fisheries resources. RFMOs have been set up by means of international agreements and their main aim is to promote cooperation among the different regions and to achieve the sustainable exploitation of resources. They regularly adopt management recommendations based on scientific opinions that the contracting parties must subsequently adopt.

RFMOs base their mechanisms of action on the 1995 FAO Code of Conduct for Responsible Fisheries and have competences and responsibilities regarding control and inspection plans and play an active role in the fight against IUU fishing, in order to reduce illegal catches. The EU is currently a contracting party to 15 RFMOs: 4 focusing on tuna and 11 on multi-species or mixed fisheries.

Some of these RFMOs are: Northwest Atlantic Fisheries Organisation (NAFO), North East Atlantic Fisheries Commission (NEAFC), International Commission for the Conservation of Atlantic Tunas (ICCAT), Indian Ocean Tuna Commission (IOTC), General Fisheries Commission for the Mediterranean (CGPM), South East Atlantic Fisheries Organisation (SEAFO), Western and Central Pacific Fisheries Commission for the Conservation and Management of Highly Migratory Fish Stocks (WCPFC) or the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), among other.

The European Commission, fisheries operators and other interest groups (NGOs) have defended the importance of strengthening the role of RFMOs and enhance the presence of the EU and the third countries in the latter. Even though they started playing a practically advisory role, from the 1970's they started to take over competences in terms of management of resources to seek a balance between exploitation and conservation of the available resources, acting as the body which would bring together the interests of the countries. Currently, they virtually cover the whole scope involving the high seas areas.

3) Monitoring, control and surveillance: Fight against IUU fishing (Illegal, Unreported and Unregulated)

The EU has made great efforts in the fight to eradicate illegal fishing, mainly in the last 10 years. In 2010, a regulation came into force which was the first one specifically aiming to fight against fisheries that, by definition, have no respect for stocks, destroy marine habitats, bring about unfair competition vis-à-vis legal operators and are detrimental to fishermen that abide by the regulations and to the economy of developing countries. There are numerous lists of IUU fishing vessels within RFMOs and the EU has developed a list of non-complying countries that do not go after this type of fleets. A number of trade measures have been developed and adopted to fight against these practices that have been effective, through a strict application of these rules on a non-discriminatory basis.

Currently, the estimated value of illegal fisheries is calculated to reach about EUR 10 trillion a year, accounting for 15% of catches worldwide, with a catch average ranging from 11 to 26 million tonnes a year.

4) International Trade and Markets

There is a shortfall as far as EU fish products are concerned, requiring high volume imports to satisfy its market's demand. According to Eurostat data, in 2014 close to 66% of the fisheries and aquaculture products were imported from third countries compared to 33% of the EU product supply.

Considering the importance of the European market at global level, and the influence that EU trade policy might have in the prospects for sustainable development in third countries, there exists the need to establish equal conditions of sustainability and environmental and social standards for the import of products.

This can be achieved through the negotiation and the signing of commercial and trade agreements, ensuring adequate and fair support to the producers and operators of developing countries so they can abide by the rules and fulfill their duties and obligations without these rules becoming indirect trade bans.

5) EU Fisheries Investment in Third Countries

In the last 25 years, EU-capital companies have made important fisheries investments abroad. With these investments they seek to ensure the EU presence in the best fishing grounds worldwide acquiring the commitment to supply the EU market while contributing to the social and economic development of the local coastal communities.

EU investments in the fisheries sector of third countries are, in addition, a way to gain access to resources of commercial interest in specific fishing grounds. Provided there is a framework to ensure investments in third countries fisheries are undertaken in a transparent way, do not generate unsustainable levels of fishing and competition with the local sector, and provide adequate benefits to the coastal country, EU investments can be a key tool for development cooperation, training, and technology and knowledge transfer that enables the growth of the fisheries sector in third countries. Furthermore, they can generate employment and help dynamise the local economy by developing coastal communities in those countries.

KEY ITEMS FOR DISCUSSION

- How could conditions of exploitation of fishing resources be improved from an environmental, social and economic perspective?
- How could fair competition of fish products be enhanced and a uniform compliance of control standards be ensured among fleets of different countries?
- How to maximise the contribution of EU operators in terms of technological transfer, know how and investments for sustainable development of third countries?
- How can the long distance fleet benefit from cooperation at regional level with organisations of African States and vice versa?
- What specific actions are proposed for the effective application of the External Dimension of the CFP?
- How can enhanced transparency be achieved in fisheries agreements (public and private)?
- What should be the Long Distance Fleet Advisory Council's (LDAC) role or job in the application of the External Dimension of the CFP?
- How can a balance be achieved between environmental, economic and social sustainability, and what is the importance of an enhanced governance for a sustainable management of fisheries?

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ABOUT THE LONG DISTANCE FLEET ADVISORY COUNCIL

The **Long Distance Fleet Advisory Council (LDAC)** was awarded legal recognition in 2004 with EU Council Decision 585/2004, and was declared operational in May 2007 with the adoption of Commission Decision 2007/206/EC and consolidated in Regulation (EU) 1380/2013 on the CFP. The LDAC receives EU co-financing in its capacity as a body seeking to fulfil an aim of European interest.

Its [mission](#) is to guide the European institutions (Commission, Parliament and Council) and EU Member States on issues relating to Fisheries Agreements with Third Countries, relations with Regional Fisheries Organisations (RFOs) where the EU is a contracting party or in international waters where the EU fleet operates, as well as on commercial relations and the international market of fish products.

The [main aim](#) of the LDAC is to promote the conservation of marine biodiversity and the sustainable use of fisheries resources. More precisely, the [main aspects it works on](#) are:

- 1) Fighting against illegal, unreported and unregulated (IUU) fishing, including the enhanced coordination of the monitoring, control and surveillance systems. The LDAC actively collaborates with the European Commission and the EU Fisheries Control Agency.
- 2) Promoting the external dimension of the CFP and the coordination with other EU policies, especially relating to the environment, trade and development cooperation. The LDAC has signed a memorandum of understanding with ATLAFCO/COMHAFAT (Ministerial Conference on Fisheries Cooperation Among African States Bordering the Atlantic Ocean) to foster the development and strengthen the capacities of coastal states in Western Africa, promoting good practices in governance at regional level.
- 3) Enhancing transparency in decision-making in fisheries management, for instance through the Tuna Transparency Initiative in the Indian and Atlantic Oceans.

Today, the LDAC is [made up of](#) organisations representing the fisheries industry (catching, processing or recreational sectors, trade unions...) and other stakeholders (environmental NGOs, consumers...). Its composition accounts for 60:40 and it currently has over 50 members belonging to twelve Member States.

In [business](#) terms, it is necessary to bear in mind the strategic weight of the long distance fleet. According to the STEFC Annual Economic Report on the European Fleet in 2013, the long distance fleet accounts for less than 1% of the whole of the European fleet, but for 19% of the total GTs, 7% of the fishing capacity and its total number of catches amounted to 1,067 billion tonnes in 2011 (FAO).