

FLASH REPORT

COORDINATION LDAC – DG MARE ON COFI 34 FAO

Monday 25 January 2021 – 10:00-12:00h

Preparation of FAO Committee on Fisheries – Thirty Fourth Session

Date and Venue: 1-5 February 2021 – Rome / Virtual Meeting

Provisional agenda and working papers available here:

<http://www.fao.org/about/meetings/cofi/documents-cofi34/en/>

List of attendees

- DG MARE B1 Unit – Marc Richir
- LDAC Secretariat – Alexandre Rodriguez (Executive Secretary) and Manuela Iglesias (Policy Officer)
- LDAC members - Industry reps: Javier Garat (ICFA/EUROPECHE) and Juan Manuel Liria (2nd LDAC Vice Chair - CEPESCA)
- LDAC members - NGO reps: Béatrice Gorez (1ST LDAC Vice Chair - CFFA-CAPE), Julien Daudu (WG5 Chair – EJF), Despina Symonds (IUCN), Jacopo Pasquero (EBCD), Sara Frocklin (SSNLF), Francisco Mari (BFW),

Apologies duly noted from Iván López (LDAC GA&ExCom Chair), Julio Morón (WG4 Chair) and Daniel Voces (Europeche).

General remarks – Introduction by Marc Richir (DG MARE rep.)

FAO COFI – Virtual meeting this year will be challenging, regrets lack of time and short notice for preparation due to late submission of working papers and agenda by FAO organising committee.

Highlights three main areas or lines of intervention:

1. Impact of COVID Pandemic in fisheries and aquaculture sectors, which were hit very strongly in the last year.
2. Post recovery strategies touching upon the overall agenda of the European Commission and EU based on EU Green Deal, and in particular the EU Biodiversity Strategy and the Farm to Fork Initiative (F2F).

Main idea: Sustainability has to be at the center of the recovery.

De facto problems with international agenda on postponing in 2020 meetings of CBD, BBNJ, and preparations for International Year for SSF.

3. How to improve functioning of COFI and its sub-committees – COFI was supposed to take place in July 2020 and after the announcement of postponement we only had access to the documents in late January and without translations. Furthermore, agenda was only discussed at the Bureau and was supposed to be substantially revised and simplified given the virtual format. However, they found out that it pretty much remains the same, with 18 items and a very short timing to respond.

Regarding the work of the FAO subcommittee on capture fisheries, it has not been very satisfactory and progressed as expected in the view of the EU.

LDAC delegates asked what will be the coordination mechanisms between the DG MARE and EU MS during the COFI and how communications will be managed (e.g. who is speaking on behalf of the EU? Will it be the Portuguese Presidency of the Council or MARE Head of Delegation?). Also, we would like to find out how participation of both FAO members and observers will be articulated given the time constraints of the meeting and the heavy agenda.

DG MARE response:

Mandate is currently being discussed, with a written procedure expected to be ready before the end of the week. The deadline for comments is 27 January. There will be some form of coordination also between Brussels and the EU delegation before FAO in Rome;

In terms of participation by members and observers, it will be very challenging – it is detailed in the procedure displayed as an Annex to working document 19 (pages 4-7): <http://www.fao.org/3/ne862en/ne862en.pdf>

- There will be 4-5 minutes slot for each delegations representing regional groups, with 3 min to intervene per agenda item.
- Will be particularly difficult for observers. There will likely be no time slot for speaking for observers and written statements shall be submitted beforehand.

Summary of the EU interim position on key items and LDAC feedback

Item 4. Status, trends and issues to ensure responsible and sustainable fisheries and aquaculture (based on SOFIA report):

- Restate the importance of FAO role in assessing fisheries and aquaculture.
- Need to prepare post-COVID recovery on the three dimensions of sustainability.
- Reinforce importance of improving fisheries management globally.
- Aquaculture – Monitor evolution of the sector and balance it with appropriate legal and institutional framework in place – aquaculture industries are now booming in Asia and China but are not always well framed from a legal point of view. Need to develop FAO guidelines on Sustainable Aquaculture.

Item 4 bis –High level special event to celebrate 25 anniversary of the FAO Code of Conduct

- EU has requested the intervention from Commissioner Sinkevicius to provide a speech in occasion of the celebration of the 25 years the existence of FAO Code of Conduct for Responsible Fisheries on 1 February. This will be coupled with the formal endorsement by the EU of the FAO Declaration on Fisheries Sustainability. This is a political declaration, of not legal or binding nature.
- Procedural constraints: there is only one intervention per regional group – at the European RG there is another request to speak from Norway, so currently discussing with organisers the possibilities of having both statements made.
- Guidelines for sustainable EU aquaculture. SOFIA report – according to predictions, production of fish is going to increase in Africa but consumption is going to decrease, so probably due to sell this fish to other countries to be used for feeding aquaculture products, something of concern for the future.

LDAC delegates noted with thanks the information received and expressed concern on increased aquaculture activities in developing countries promoting overfishing or increase on wild capture fisheries for fishmeal or flour and the need for regulation and transparency of such activities.

Item 6. Report from FAO 17th Session of the COFI Sub-Committee on Fish Trade (Vigo, Spain, November 2019):

- EU regrets the absence of agreement leading to no resolution on fisheries subsidies in WTO in 2020. Hopes work will resume in 2021 and bring to good end.
- Insist in pushing the way of FAO Guidance Doc. on Social Responsibility of the Fishing Value Chains, working on these guidelines but did not meet concerns or expectations of social partners to have the instruments of international law in maritime safety and labour conditions at sea and inshore implemented. Work needed on the annexes.

LDAC delegates supported both statements made above and refers to the letter submitted on 5 November 2020 jointly with Europeche and ETF in this subject – accessible here: https://ldac.eu/images/EN_Joint_Letter_Europeche ETF_LDAC_FAO_guidance_Nov2020.pdf

Item 7. Contribution of fisheries and aquaculture to the implementation of the 2030 Agenda

Preparation of UN Food Summit

- Topic integrated in the COFI Sub-Committee on Food Security. Looking at report and action track, EU notes that it misses fisheries and aquaculture dimension here... lot of material for supporting this reflection coming from FAO SOFIA, and also propose workable solutions.
- There are many reflections coming from agriculture world, EU wants to use COFI for calling FAO and EU members for being more active in promoting fisheries and aquaculture sectors in international bodies for food security.

LDAC delegates supported this view without further additions.

Item 8. Small Scale Fisheries – International Year for Artisanal Fisheries and Aquaculture

- This subject will be included in the exercise of assessment and evaluation of CFP where in 2022.
- SSF – reflected in certain development for cooperation problems in Africa and Asia.
- Support to the incoming International Year that could be promoted in a series of events this year.

LDAC showed concerns of negative impacts of Blue Growth and Blue Economy (EU and Norway funding a strategy) in artisanal fishing communities and SSF, as focus is more on mining and other extractive activities. Good there is an international year for artisanal fisheries but concern is shared on developments on competing extractive industries.

Item 9. Fight against IUU fishing

- EU very active in the last decade in this area.
- Zero tolerance approach to IUU.
- Promote adoption and implementation of FAO PSMA.
- EU will host the third meeting of the Parties – important as first review meeting of the Agreement, with 70 parties now, last one joining being Russia. Important in terms of accession but implementation is key to make it work – from all angles including capacity building.
- Continuation/resumption and strengthening of the work on IUU in the context of RFMOs.
- Presentation of FAO study funded by the EU on transshipment, call for adoption of elaboration on international guidelines to be negotiated in COFI 35.

LDAC supports leadership and work of the EU in this area in international fisheries governance. It supports the effective implementation of FAO PSMA and is particularly interested in the study on transshipments as strongly advocate for further transparency of fishing activities both at sea and at port. In this respect, the LDAC agrees with EU that a clear definition on transshipment and conditions in what might happen needs to be agreed with the view of elimination of IUU fishing.

Regarding the role of RFMOs, the LDAC delegates expressed concerns that some CPCs block issues in relation to IUU (such as IUU vessels lists) due to the decision making process by consensus, hindering the capacity of international community to fight IUU. The LDAC delegates are in favour of promoting the FAO Global Record of Fishing Vessels and including IMO Numbers as an obligatory requirement in there for track record of activities.

Item 10. Developments in global and regional processes related to fisheries and aquaculture

- UN BBNJ negotiations – EU would like to conclude and reach an agreement on a Treaty ASAP.
- Promotion of safety sea and labour conditions through adoption, ratification and implementation of international law provisions in this subject (e.g. ILO C188, IMO STCW-F, etc.)
- Enhance and impulse work on FAO guidance document on social responsibility of fishing value chains
- Strengthen work in RFMOs
- Intensify negotiations to reach agreement on Fisheries subsidies in WTO
- Fulfill goals of UN Agenda 2030 (SDGs)

LDAC delegates reminded of the importance to close the gaps in terms of governance in regions in the high seas where there are no RFMOs. New RFMOs should be created in those areas/fisheries needed, mentioning explicitly management of small pelagic fisheries in West Africa. We support the transformation of CECAF in a fully-fledged RFMO, we noted that a study has been made but mainly looks at costs rather than content itself of how to structure and we miss a detailed action plan.

LDAC delegates also pointed that it is important to state that RFMOs are the only international organizations which do regularly performance reviews (some of them have done already two) and these have proven useful for implementing recommendations such as moving from consensus to more flexible mechanisms for decision making on certain important issues.

Item 11. Addressing climate change and other environmental-related matters in fisheries and aquaculture

- Work of RFMOs is key on implementing recommendations on this area
- Objective: make the environment more resilient to climate change in terms of impact of industrial activities
- Importance to agree on MPA on the Antarctic – Context of discussions in expanding new MPAs in CCMLAR blocked by 2 delegations. Call to members of COFI to endorse this.
- Fishing gear – Guidelines for improving selectivity and promoting low impact fishing gears.

LDAC: environmental impacts and biodiversity – Latest IPCC report in 2019 important role of indigenous people and local knowledge communities have to play in conservation of resources and environmental resilience. Struggling in getting this message across in post 2020 CBD, linking that discussion with SSF guidelines and look as solution for protecting environment and mitigating climate change. Full potential of areas that are already protected by local communities or possibilities to create new ones based on local knowledge on their initiative. Important in light of biodiversity and SDGs.

LDAC delegates considered that external/international dimension of CFP should be strongly promoted abroad and link with environmental and other sectorial policies.

Item 11.1 Mainstream biodiversity in fisheries and vice versa.

- Goal on post 2020 biodiversity framework.
- Acceptance of combination of MPAs and OECMs, having in mind that what matters is not only the increase in the coverage by these tools but also the effectiveness of this management.
- Promote 100% effectiveness of MPAs in post 2020 of Biodiversity framework, make sure it is not only a percentage in paper.
- Cooperation between FAO and other international organization, update FAO strategy in light of CBD next COP.
- Draft Declaration on Sustainable Fisheries – political declaration. There is a problem with certain delegations that refuse the inclusion of the terms MPAs and OECMs in the preamble text as they do not consider this as instruments to manage fisheries.

LDAC delegates wish to promote a more holistic approach (in for a such as BBNJ or CBD) to cumulative impacts in the high seas, and not only look at impact of fisheries activities but also other human industrial extractive activities such as deep-sea mining, oil and gas, etc.

Item 12. Proposal for a new COFI Sub-Committee on Fisheries Management

- FAO Joint task force met last time one week ago – no agreement for establishing a new subcommittee, certain COFI members opposed to it as considered it would create additional burdens in terms of costs and capacity (involvement and participation) for members.
- Instead, COFI will be called to agreeing a process or way forward, through continuing the work of the task force and bringing it to a larger group open to all members and making it more transparent in their deliberations. The aim is to identify and agree time plan, strategic points, for next COFI.
- EU slightly disappointed, initially in favor of creation of this subcommittee, maybe if possibility to gain a bit more time... probably not consensus will be reached on its creation in the short time.

LDAC delegates asked if there would be a follow up on guidance on SSF and future of SSF, will be part of this new committee. Not an informed decision or opinion yet.

Item 13. FAO Programme of work in fisheries and aquaculture under the FAO Strategic Framework

Not much in detail at this stage – no questions made by the LDAC.

13.1 ToR of the International platform for digital food and agriculture

Aim: overcome or “break” the digital divide, call for using more digital tools

14. Multi-year programme of work (MYPOW) of the Committee

- Document found rather general, leaves important margin of maneuver for focus on specific issues
- EU will make series of suggestions to improve FAO work, such as stressing the importance of annotated agenda (not clear in the present format what is the content of each sub-item)

LDAC need for further clarification of content of multiannual FAO work programme and how this links and is implemented in terms of work priorities and specific actions in fisheries and aquaculture – also about hierarchy and what is guiding what – strange that it is different.

Item 17.1. AOB.

- Not prepared a comment but repeats regional and global processes and items on agenda 2030. But comments welcome!

Way forward

It was agreed that Marc Richir and Alexandre Rodriguez will remain in contact informally during the COFI week conveying messages from both DG MARE and LDAC, should there be that need.