



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES

The Director-General

Brussels,
MARE/D3 ADV ARES(2019)

Mr. Ivan López
Chairman Long Distance Advisory
Council
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E- 28036 Madrid
SPAIN

**Subject: LDAC Recommendations on Strengthening the European Union
Role in the field of International Fisheries Governance**

Your Ref.: your email of 13 December 2018 - R-05-18/WG5

Dear Mr López,

I would like to thank the Long Distance Advisory Council (LDAC) for its valuable comments and recommendations as outlined in its policy document of 3 December 2018.

The LDAC is and remains a valuable partner for the EU in its endeavors to strengthen, in partnership with others, the ocean governance framework, to reduce pressures on the oceans and ensure that they are conserved and used sustainably. We therefore welcome LDAC's generous offer to play a continued role in support to our ambitious agenda that has been making waves in recent years, including through the various "Our Ocean" Conferences as well as the 2017 UN Ocean Conference. Nevertheless, it is very important, as you state, that progress on the different voluntary commitments on marine conservation and sustainable use of the oceans are tracked.

This is why Commissioner Karmenu Vella pledged at the "Our Ocean" conference in Malta in 2017 to develop an online registry for the more than 900 commitments put forward over the course of six editions of the "Our Ocean" Conference. This registry is to be operational at the next "Our Ocean" Conference, which will take place on 23 and 24 October 2019 in Oslo.

As far as your recommendations on Sustainable Fisheries Partnership Agreements (SFPAs) are concerned, the Commission would like to highlight that the principles and objectives as set out in the Basic Regulation¹ are integrated in Protocols and Agreements

¹ Art. 31 of 1380/2013

when these are being renewed. As SFPAs have a duration of four to six years, some of them have not yet been renewed since the adoption of the Basic Regulation. Therefore, this is an ongoing process.

Nevertheless, we would like to assure you that sustainability, fairness, transparency and accountability principles are consistently applied in SFPAs, these being of mutual benefit to both the EU and partner countries.

One obligation under the Basic Regulation is that the EU fleet has to fish only the surplus in the Economic Exclusive Zone (EEZ) of a partner country. This is in line with the 1982 UN Convention on the Law of the Sea (Art. 62) and must be based on the best available scientific advice and the relevant information exchanged on the total fishing effort exerted on the affected stocks by all fleets in the EEZ of the partner country.

This approach not only ensures consistency with sustainability principles, but also requires transparency from the partner country, as well as fairness through a non-discrimination clause towards the EU fleet. We aim to have this clause included in all our Agreements.

On accountability, a fishing activity by the EU fleet is only authorized if it has no negative impact on local fisheries. Furthermore, all catch data are now regularly transmitted in real-time to the partner country through electronic logbooks (ERS). Furthermore, all catch data are transferred to the coastal state by the European Commission in the form of monthly aggregated catch data.

With regard to consistency, please be aware that we are continually seeking coherence and synergies between SFPAs and other EU policies, such as the EU development cooperation. Our EU Delegations play an important role here in a unified approach – in particular our fisheries attachés that are based in some of the partner countries.

Furthermore, SFPAs have proven to be very helpful for measures taken by partner countries to actively tackle Illegal, Unregulated and Unreported (IUU) fishing. In Ivory Coast for example, an IUU strategy as well as Monitoring Control and Surveillance patrols have been supported through the Agreement. Similar initiatives also exist in Cape Verde, Mauritania as well as in many other partner countries.

While good progress has been achieved in this regard, the Agreement with the Comoros had to be denounced. This is a legal obligation under the IUU Regulation, under which the EU has to start a dialogue to address any shortcomings. Under such circumstance, we cannot use the SFPA in this process, as you suggest.

On the evaluations of SFPAs, while indeed they focus on the impact of the Agreement with regard to the benefits coming from the EU fleet activities, they also include economic benefits and evaluate sectoral policies implemented by the partner country with the financial contribution of the Agreement.

The Commission stands ready to share these evaluations with LDAC as soon as they become available. We look forward to receiving inputs and concrete suggestions from LDAC members to further improve the impact of these Agreements on local fisheries development, including in future negotiations. Certainly, a more in depth reflection could also take place to assess the need for further improving the terms of reference of these evaluations.

The Commission also welcomes the recommendations on the actions in the Regional Fisheries Management Organizations (RFMOs) of which the EU is a member. We would like to reassure you that it is our aim to continue to deliver on the main objectives of the EU external action on fisheries set out under the Common Fisheries Policy. This includes actively supporting and contributing to the development of robust and reliable scientific knowledge and improving the performance of RFMOs. It is also our stated ambition to progress on the implementation of more efficient, coherent and effective tools to promote better fisheries governance across RFMOs, whilst further defending the EU's interests in these fora.


Turning now to the Indian Ocean, which is specifically mentioned by LDAC in its advice, the Commission has given special attention to this area over the last few years. Strong synergies have been created with other EU policies, such as under the Common Foreign and Security Policy, external trade and development cooperation, in order to build strategic alliances around the Indian Ocean, to find support for the EU's approach to sustainable fisheries and our RFMO objectives, and to improve the performance of the Indian Ocean Tuna Commission (IOTC). We have also set out good communication channels with key actors in the Indian Ocean to address broader issues of mutual interest, such as the ongoing discussions on allocation criteria.

Furthermore, the Commission welcomes the invitation from LDAC to rally support for EU proposals in RFMOs and mobilize local actors to actively support for ocean governance. The Commission notes that some of the LDAC members are already active participants in some of the fora that we have established with important partners in the Indian Ocean. The Commission will not hesitate to call on your involvement to accompany our efforts where necessary.

Finally, the Commission would like to assure you that the EU's bilateral engagement with partners and work in RFMOs are fully reflected in other key international institutions and organizations such as the UN Food and Agriculture Organization and the United Nations.

Once again, the Commission thanks you for these valuable recommendations and looks forward to continue working with you in 2019 for healthy, productive, safe, secure and resilient oceans. I invite you to take contact with Ms Pascale Colson, coordinator of the Advisory Councils (pascale.colson@ec.europa.eu; +32 2 29 56273) should you have any question on this reply.

Yours faithfully,


João AZEITEIRO MACHADO

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