



LDRAC Document on the Communication by the European Commission on the

“External Dimension of the Common Fisheries Policy”

Status: approved by the Excom

Document originally drafted in: English

Reference: R-02-11/WG5

LDRAC welcomes the fact that the European Commission gives important consideration to the external Dimension of the CFP.

Regarding the external dimension aspects of the CFP reform, the LDRAC has the following comments:

CONTRIBUTION TO GLOBAL SUSTAINABILITY

a) Good Governance:

It is noteworthy to see recognition towards the important international presence of the European industry , however, greater recognition should be given to the investments made by EU nationals in many countries with the aim of supplying the EU market, as it is one of the responsibilities of the Community to control and protect its citizens active in Third Country fisheries as well as the EU investments in fisheries in those Third Countries, to ensure their environmental, social, and economic sustainability as well as their transparency. .

The LDRAC fully shares the opinion of the EC with regard to the fact that the EU must promote a global and multi-lateral agenda for sustainable fishing, in all its dimensions: environmental, social and economic.

b) Coherence

Regarding relations with developing countries, the coherence of the community policies with sustainable development objectives will result in the improvement of governance in international fisheries. Coherence must integrate the European policies in all the areas: Commercial, Sanitary, Environment, External Relations, etc.



c) Fight against the IUU fishing.

In the case of international collaboration against IUU fishing, a common front must also be engaged with third countries, especially coastal states, as already started with the two countries that together with the EU are the major fish markets of the World: USA and Japan.

One possible way to engage in such joint action could be to apply a Unique Identification Number to each and every vessel that would ensure total traceability for the product in a totally transparent manner.

d) To improve the functioning of the RFMO

Regarding the main principles considered to strengthen the work of RFMOs, the LDRAC supports that access to High Seas fishing grounds should only be granted to vessels flying a flag of a country member or cooperating party of a RFMO. This will guarantee that all fleets respect the same rules under a common management system incorporating the capacity management and allocation system.

The EU should ensure the identification of the RFMOs in which there is a problem of overcapacity and, until it becomes possible to apply an allocation system based on fair and transparent criteria, promote as a preventive measure to freeze the fleets in aforesaid RFMOs with special consideration to the rights of the coastal states, proposing it as an additional action to the international conference of 2013.

The establishment of fair rules for all the vessels operating in a given RFO must be advocated. The principles of social justice, human rights, environmental sustainability and good governance must be considered as fundamental elements (in the same way that is intended within the framework of the bilateral agreements).

Regarding the concept of payment for access in a "*limited*" number of RFOs, LDRAC does not share this concept of limitation, as if it is a principle applicable and useful for some RFOs, it should be so for ALL of them.

On capacity management by Tuna RFOs, the system for the external fleet should be different to the general system of the EU and the fleet that operates in Community waters. The external tuna and tuna like fleet is governed by principles emanated from international forums, which do not necessarily



coincide with the Community management system, whose clear and sole objective is capacity management for the fleet operating in EU waters. Therefore, in the same way that a special fleet management system was created for the Outermost Regions of the EU (Regulation 639/2004), the European Commission should develop something similar for the external tuna and tuna like fleet.

SUSTAINABLE FISHING AGREEMENTS

LDRAC welcomes with satisfaction the recognition by the EC on the need to maintain fishing agreements as the adequate legal framework to regulate the activity of the EU fleet in third countries.

Regarding the intention to increase the shipowners' contribution to the costs of access, LDRAC considers that the EC should conduct an analysis on the proportional part that must be assigned to obtain fishing licences, and to adjust, , the financial portion paid by the shipowners. The access costs must be separated from the funds for sustainable fisheries development support. The determination of the level and type of support for sustainable fisheries would require a joint analysis by the EU and the third countries stakeholders, on a case by case basis, to identify clear needs, as fishing conditions are not the same in all the third countries.

The direct relationship between accountability regarding disbursement of funds for sectoral support and continuation of payments may lead to an agreement being suspended, and it is necessary to bear this risk in mind.

The application of these principles during the period of transition (up until the Reform of the CFP is adopted), must be agreed to among the EC, the Member States and the stakeholders.

LDRAC shares the proposal that the EU is to establish bilateral dialogues with the major international partners, as has been done to date.

Sector and civil society stakeholders should be better informed and more involved in the negotiation of fishing agreements. LDRAC requests that the participation of the stakeholders in the negotiations process should be more active and direct than the simple consultations currently performed through the MS.

Likewise, the EC should foster meetings between European stakeholders and those of ACP countries, which would undoubtedly improve aspects such as governance and transparency.

The LDRAC is sorry that aspects like the social clause or the working conditions on board of the community vessels, widely debated inside the community, do not figure in the Commission's document, considering that it would be important to take into consideration the provisions of the ILO/OIT



Convention 188 on the work in the fishing sector. It would also be useful to evaluate the part of the financial resources of the sectorial support aimed to strengthen the social dialogue in third countries

Regarding the European investments in third countries, the LDRAC misses recognition to such kind of companies, considering that they are part of the external dimension of the CFP and its importance in securing the fisheries supply.

As acknowledged by the Green Paper, the European tuna sector has a continued history of requesting the FPA network to be extended in order to cover the distribution area for tropical tuna, highly migratory species, as was stated by the Council of Ministers of the European Union of October 30th, 1997: "...makes a note that the Commission must also study to what extent it is possible to develop the network of agreements on tuna".¹

This reiterated request is further justified in order to achieve absolute transparency for the EU fleet's activity in third countries, as the private agreements that the tuna fleet negotiates with third countries, in order to complete the network of agreements needed to cover their activities in every ocean, doesn't provide the adequate framework for the sustainable development of their activities. Since the EC is seemingly unable to undertake the negotiation of these new fishing agreements for lack of resources inside DG Mare, an alternative way should be sought.

¹ Possible new agreements: a) In the Atlantic Ocean: Sierra Leone, Liberia, Ghana, Senegal, Equatorial Guinea and Angola; b) in the Indian Ocean: Kenya, Tanzania, Mauritius, India, Eparsé and Mayotte Islands, Chagos, and Yemen; c) in the East Pacific Ocean: Ecuador, Colombia, Panama, Peru, Costa Rica, El Salvador and Guatemala; and d) in the West Pacific Ocean a multilateral agreement should be reached with the countries in the Forum Fisheries Agency (FFA), as has the USA.