

LONG DISTANCE ADVISORY COUNCIL

THE ROLE AND VALUE OF STAKEHOLDERS IN FISHERIES GOVERNANCE AND MCS: LDAC WORK IN THE FIGHT AGAINST IUU FISHING NIOZ CONFERENCE – Texel, 3-5 Feb 2016



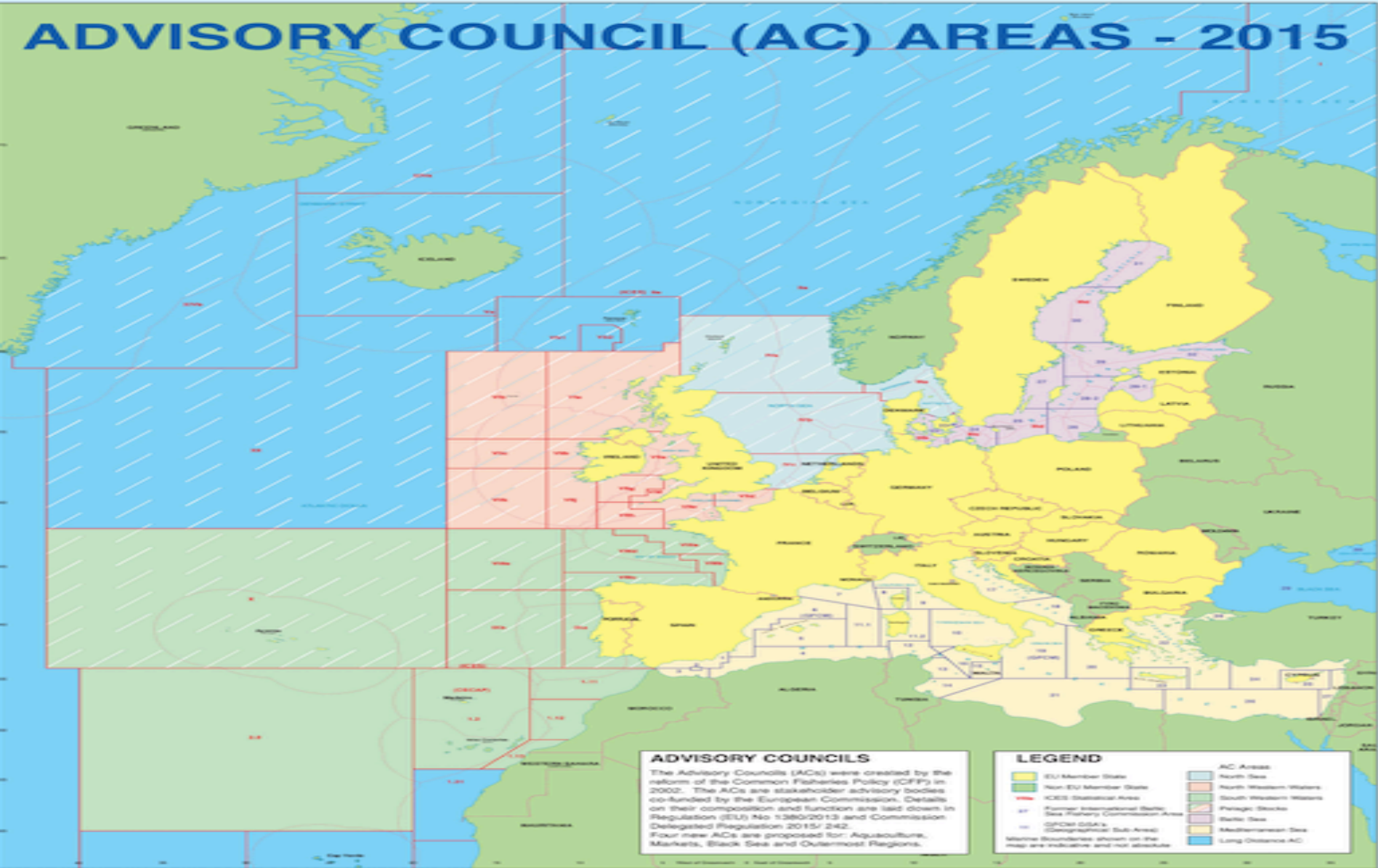


Involving Stakeholders in Decision-Making: From “Tragedy” to “Government” of the Commons

Keywords (“*Leitmotifs*”) in the field of natural resources:
Joint Management, Collective Action, Participation and Inlusiveness, Good Governance, Transparency, Shared responsibility, Level Playing Field



ADVISORY COUNCIL (AC) AREAS - 2015



ADVISORY COUNCILS
 The Advisory Councils (ACs) were created by the reform of the Common Fisheries Policy (CFPP) in 2002. The ACs are stakeholder advisory bodies co-funded by the European Commission. Details on their composition and function are laid down in Regulation (EU) No 1380/2013 and Commission Delegated Regulation 2015/ 242. Four new ACs are proposed for: Aquaculture, Markets, Black Sea and Outermost Regions.

LEGEND

EU Member State	AC Areas
Non-EU Member State	North Sea
ICES Statistical Area	North Western Waters
Former International Baltic Sea Fishery Commission Area	South Western Waters
GFCM GSA's (Geographical Sub-Areas)	Pelagic Stocks
Marine Boundaries shown on the map are indicative and not absolute	Baltic Sea
	Mediterranean Sea
	Long Distance AC

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THE EU ADVISORY COUNCILS: LDAC

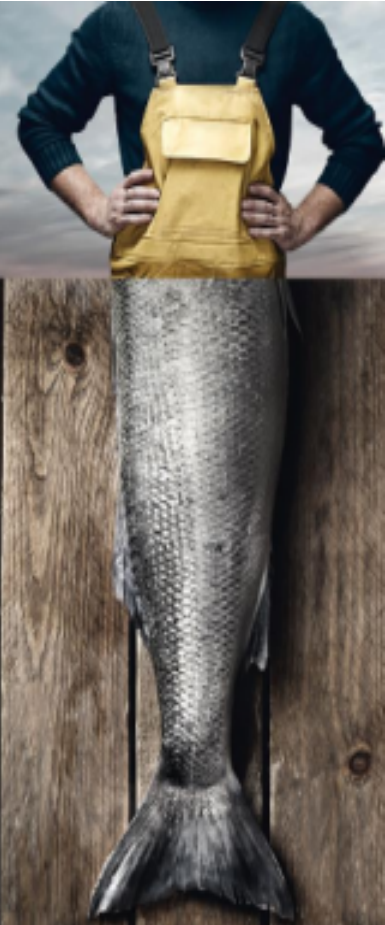
Advisory Councils are one of the main achievements of the EU CFP 2002. They acquired enhanced advisory role with entry into force of CFP on 1/1/2014.

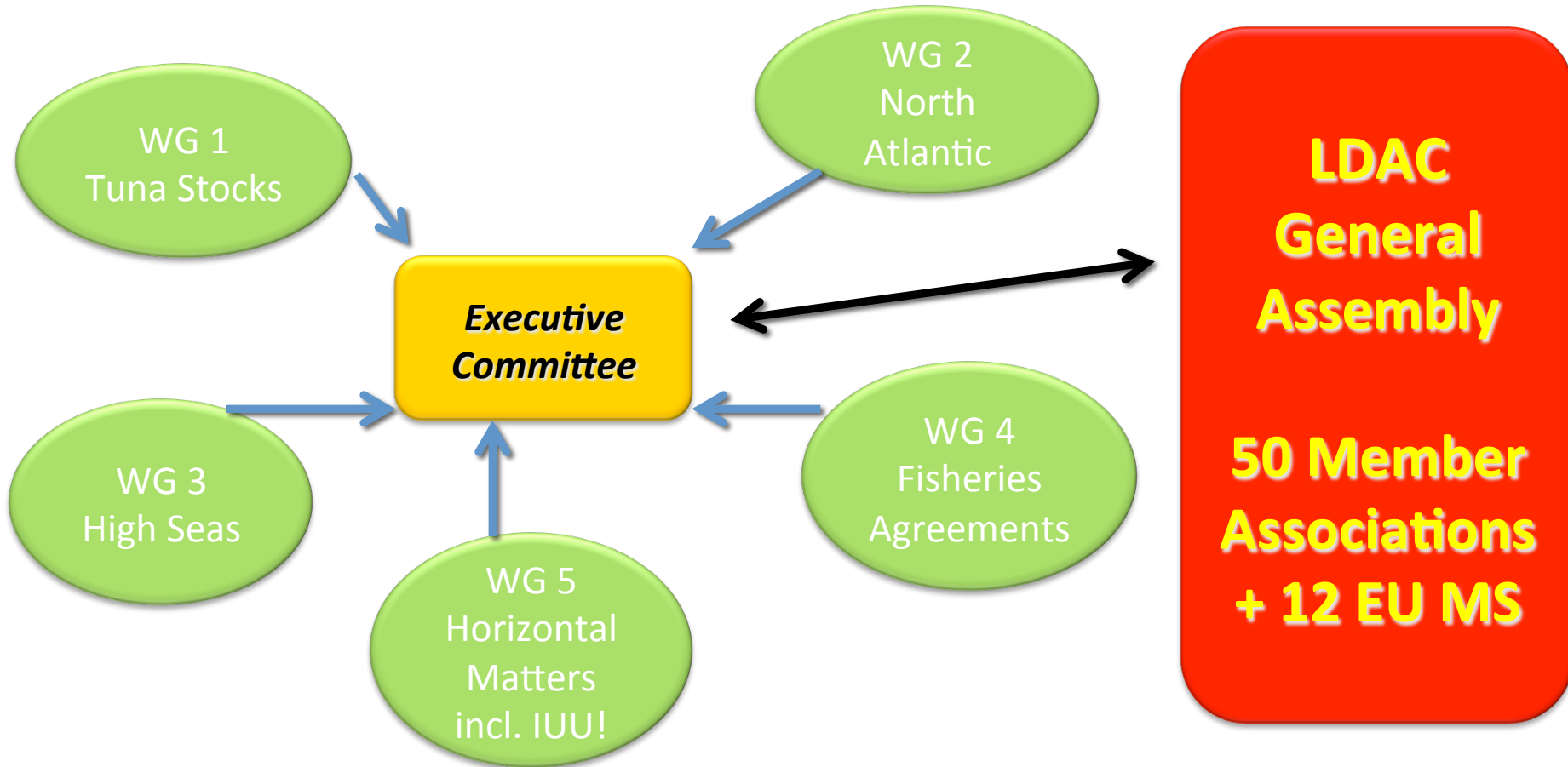
Mission:

To advise European Institutions on questions concerning:

- a. Fisheries Agreements with third countries,
- b. Relations with the RFMOs of which the EU is a signatory or in whose waters the EU fleet operates,
- c. International fish markets and trade.

To contribute to the effective implementation of the CFP External Dimension outside Community waters.





IMPORTANCE OF THE EU LONG DISTANCE FLEET (Data: FAR vs. STECF AER 2015)

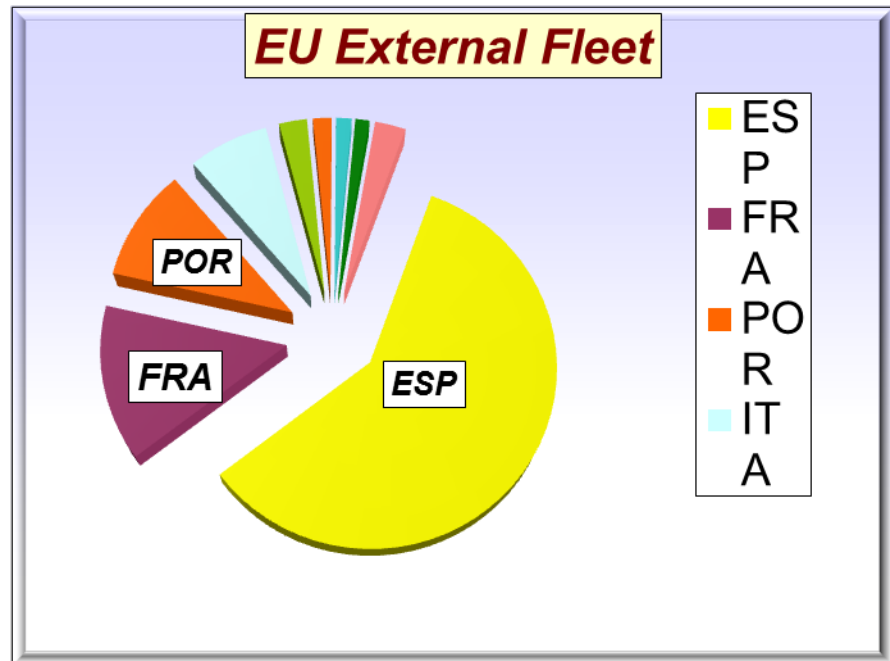
DISTANT WATERS DO NOT INCLUDE MEDITERRANEAN AND BLACK SEA

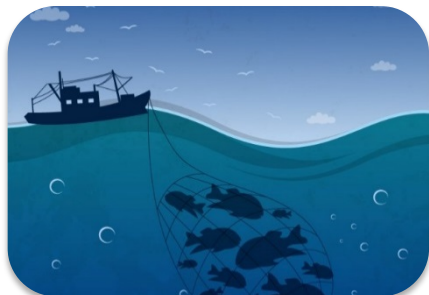
FAR: 718 Vessels vs 289 STECF < 1% of EU Fleet operate in all oceans

465,900 GT = 24% of EU Total GT

1.2 MT = 21% EU Catches

EU External Fleet	
ESP	424
FRA	100
POR	73
ITA	52
GRE	18
LIT	12
EST	10
UK	9
Others	20
Total	718





CENSUS AND CAPACITY

LONG DISTANCE
"NATIVE" FISHING FLEET:
+700 industrial boats
from 13 MS
25% of Gross Tonnage

PLUS

FISHERIES INVESTMENTS
IN 3rd COUNTRIES
(CEPPT, 2013)
118 companies
321 boats in 24 flag MS
500,000 t/year catches



CATCHES

(EU CFP FACTBOOK AND
STECF AER 2015)

21% of the total EU
catches in volume
1 million tons of total
catches for the EU long
distance fleet
6% of the global fishing
capacity of the EU fleet
22 EU Fisheries
Agreements with third
countries (2016)



IIU FISHING

10-23 billion USD a year
in estimated value
15% of world catches
11-26million tons a year
in volume
(2014)

FISH CONSUMPTION

EU-28 per capita
24,9kg (2011).
Source: FAO-
EUROSTAT-EUMOFA



MARKETS - IMPORTS

EU is the 1st market in
the world both in
TRADE SUPPLY(2011): a
volume of 12.3 million
tons and a value of 52,2
thousand million euro
IMPORTS: 66% of fishing
and aquaculture
products (2014)
1st Importer of the
World: 24% of trade
exchanges in value

THE EU'S FISHERIES FOOTPRINT

EU fisheries partnership agreements and tuna regional fisheries management organisations

Sustainable development: core principles

UNIVERSALITY

The management of global public goods and global risks requires collective decision-making and action.

EQUITY

Equitable access to opportunities, rights, and basic goods and services including natural resources, is fundamental to a human-rights-based approach to development and poverty eradication.

INTEGRATION

Synchronised approaches to multi-lateral frameworks can help to meet ambitious goals, improve policy coherence for sustainable development and avoid duplication of efforts.



WWF ASKS

Given the internal and international legal obligations and commitments that frame Europe's fisheries abroad – in particular, the 2014 Common Fisheries Policy (CFP) – WWF believes there is a clear obligation on the EU to:

- Ensure consistency and coherence across EU policies, objectives and commitments in EU bilateral and multilateral fisheries action so as to maximise its influence and impact at all levels.
- Target EU action in a way that's likely to help improve and strengthen the international governance of fisheries.
- Press negotiations to ensure that environmental protection is embedded in all aspects of decision-making on fisheries and is the responsibility of all actors to deliver.
- Build in transparency across policies and agreements and expect the same standards from partners to ensure accountability in the use of a public good, such as fish resources.
- Address deficiencies in scientific data and ensure that European fishing activities do not jeopardise long-term sustainability in circumstances where data is inadequate.



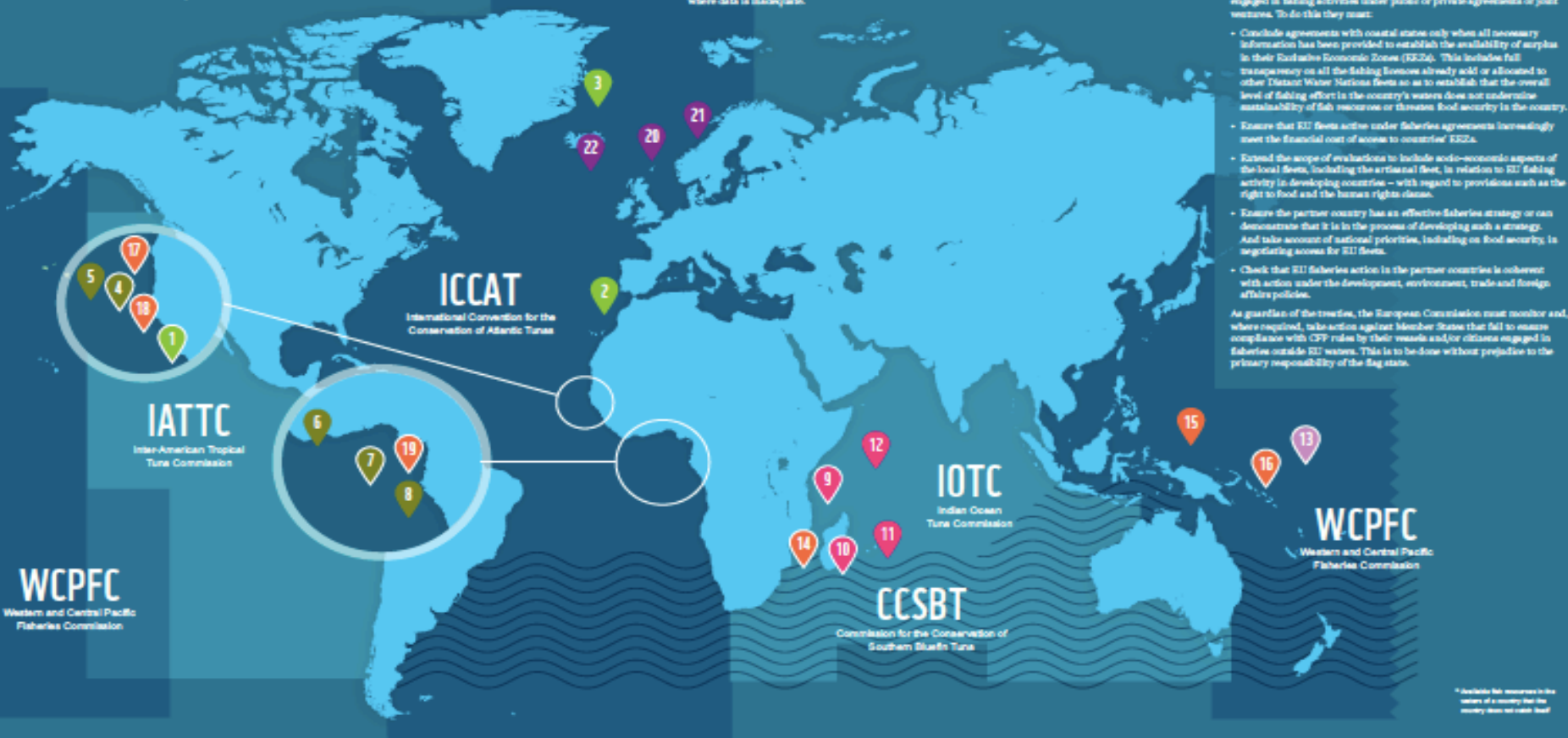
In addition, the EU must guarantee transparency and improve communication on EU objectives and priorities around meetings in regional and international fisheries organisations. To do this they must:

- Encourage partner countries to collect and communicate required scientific and other data to RFMOs, so that the best-informed conservation and management decisions can be taken.
- Seek to extend pre- and post-meeting dialogue with stakeholders in the EU and in external partner countries to include developing coastal states that participate in RFMOs and, for a number of them, also have bilateral fisheries agreements with the EU.
- Communicate outcomes and share lessons with stakeholders.

The EU must ensure that fisheries agreements are of mutual benefit to both parties. In the case of the partner country, this includes its local population and fishing industry paying attention to artisanal fisheries. And ensure that the CFP, regional and international obligations and provisions are fully met by vessels flying an EU flag and/or EU nationals engaged in fishing activities under public or private agreements or joint ventures. To do this they must:

- Conclude agreements with coastal states only when all necessary information has been provided to establish the availability of surplus in their Exclusive Economic Zones (EEZs). This includes full transparency on all the fishing tonnage already add or allocated to other Distant Water Nations fleets so as to establish that the overall level of fishing effort in the country's waters does not undermine sustainability of fish resources or threaten food security in the country.
- Ensure that EU fleets active under fisheries agreements increasingly meet the financial cost of access to countries' EEZs.
- Extend the scope of evaluations to include socio-economic aspects of the local fleets, including the artisanal fleet, in relation to EU fishing activity in developing countries – with regard to provisions such as the right to food and the human rights clause.
- Ensure the partner country has an effective fisheries strategy or can demonstrate that it is in the process of developing such a strategy. And take account of national priorities, including on food security, in negotiating access for EU fleets.
- Check that EU fisheries action in the partner countries is coherent with action under the development, environment, trade and foreign affairs policies.

As guardians of the treaties, the European Commission must monitor and, where required, take action against Member States that fail to ensure compliance with CFP rules by their vessels and/or citizens engaged in fisheries outside EU waters. This is to be done without prejudice to the primary responsibility of the flag state.



* Available fish resources in the waters of a country that the country does not own itself

Multi-species agreements (Mixed)	Tuna agreements West Africa	Tin agreements Indian Ocean	Tuna agreements Pacific Ocean	'Dormant' agreements*	Northern agreements
1 Guinea-Bissau	4 Senegal	9 Comoros	13 Kiribati	14 Mozambique	20 Faroe Islands
2 Morocco	5 Cape Verde	10 Madagascar	15 Micronesia	16 Solomon Islands	21 Norway
3 Greenland	6 Côte d'Ivoire	11 Mauritius	16 Mauritania	17 Mauritania	22 Iceland
	7 São Tomé e Príncipe	12 Seychelles			



Non-tuna RFMOs

CCAMLR	Convention on Conservation of Antarctic Marine Living Resources
COBSEP	Convention on the Conservation and Management of Pollock Resources in the Central Bering Sea
GFCM	General Fisheries Commission for the Mediterranean
NAFO	Northwest Atlantic Fisheries Organisation

IS THERE A MAGIC FORMULA TO DETER IUU FISHING?

Not really, but we can figure out one...

And remember: united we stand, divided we fall

**LEGISLATIVE
TOOLBOX**

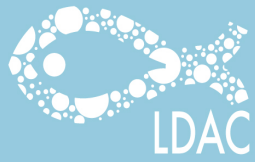


**EFFECTIVE MCS
COORDINATED ACTION**



**TRIPLE HELIX
BUY-IN**





LEGISLATIVE TOOLBOX

According to FAO Regional Office Africa Report 2016, amongst the IUU activities are: outlawed types of gear, disregarding catch quotas, operating without proper authorization or catching protected species.

1. The EU Fisheries Control Regulation (EC) 1224/2009

Includes a sanctioning regime of all fishing vessels operating within EU waters and EU flagged fishing vessels operating outside EU waters

2. The IUU Council Regulation (EC) 1005/2008

Introduced the catch certificates and set up the carding system as a way of overcoming shortcoming in countries pre-identified as non compliant with Market import ban as coercitive measure.

3. FAO Port State Measures Agreement 2009 (in force since June 2016)

Binding international treaty focused specifically in IUU Fishing

KEY PSMA PROVISIONS

- **Article 6:** Cooperation and Exchange of Information, at national, subregional, regional and global
- **Article 12:** Levels and Priorities for Inspection.
- **Article 13:** 2 (c) inspectors to verify compliance of documents with relevant management measures.
- **Article 15:** Transmittal of inspection results, (a) (i) info shared with relevant Parties and States, including other MS / RFMOs.

Aim: To achieve enhanced cooperation between African port states towards harmonisation of MCS systems and procedures, under existing (sub)-regional arrangements and public agreements (SFPAs).

Before PSMA



Fishing boat



Fishing trip



SFPA (not real)



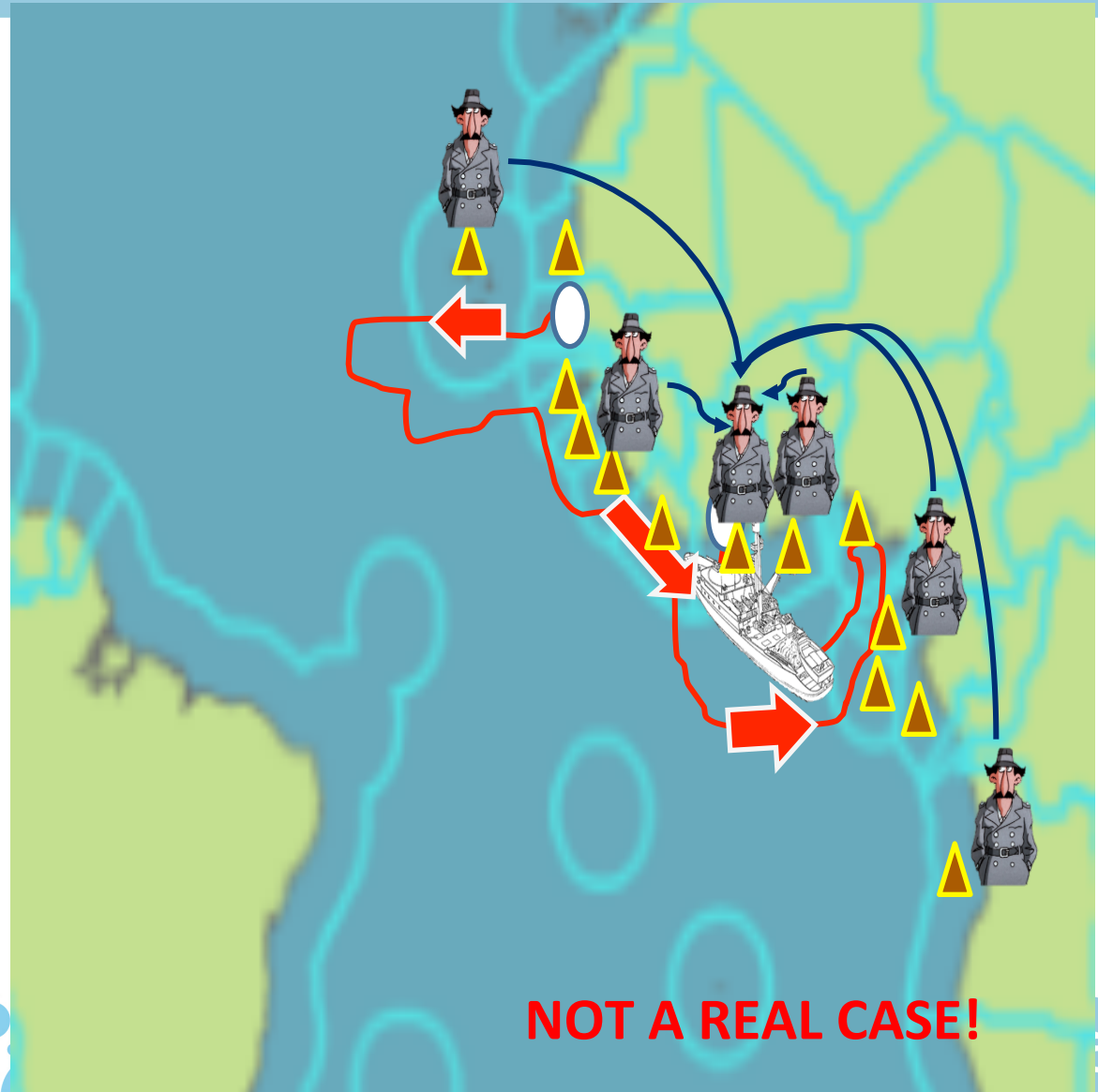
Designated Port



National Inspector
(6)



Inspection Trip (5)



After PSMA



Fishing Boat

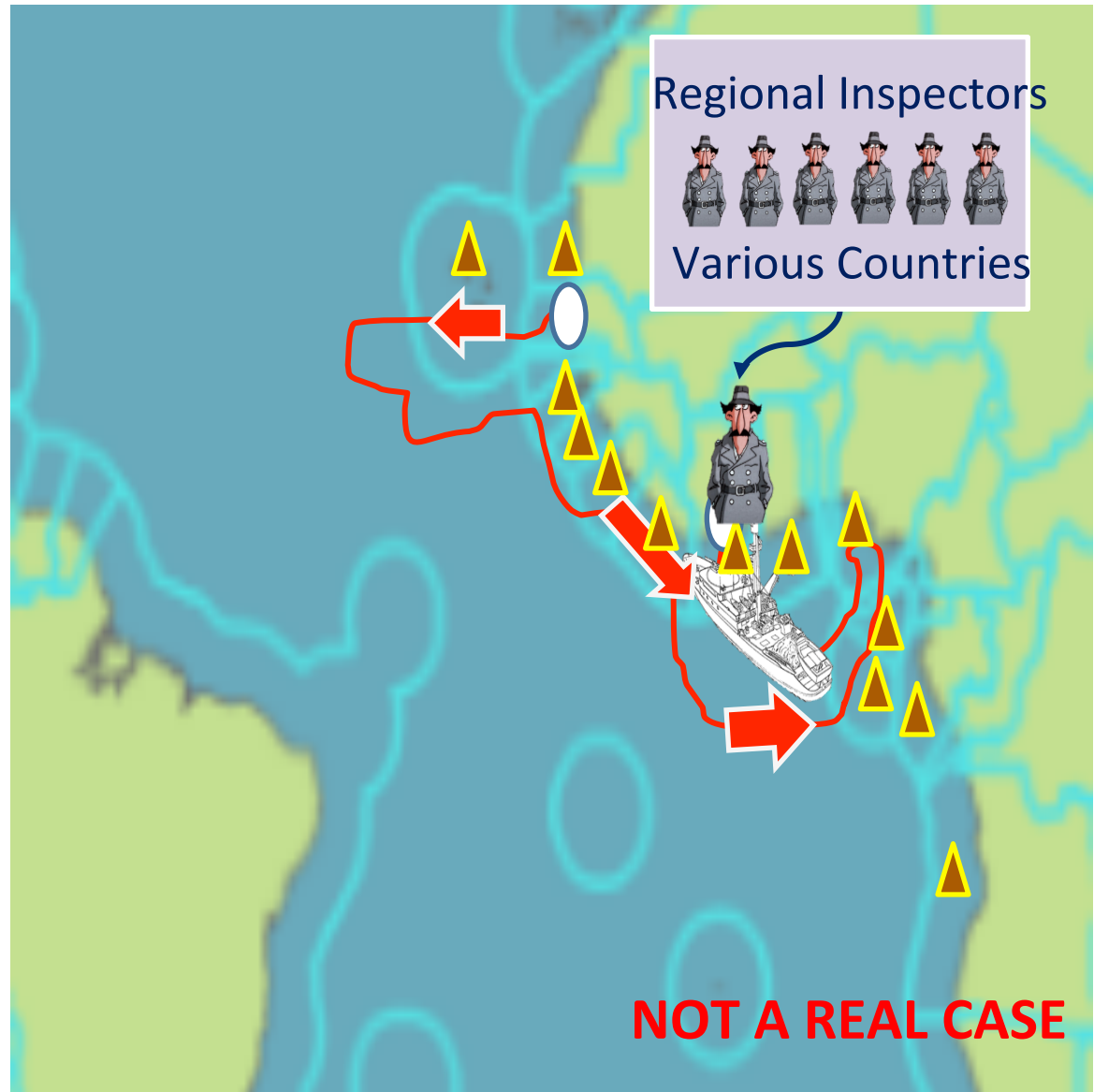
 **Fishing trip**

 **SFPAs (not real)**

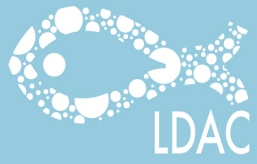
 **Designated Port**

 **Regional Inspectors
(6)**

 **Inspection Trip (1)**



All countries with SFPA accrediting regional observers, exchanging information and endorsing inspections



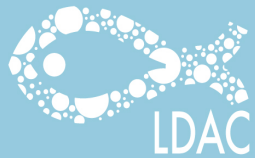
ADVOCATING FOR IMPROVED MCS

HOWEVER Port measures are not enough on its own to identify and stop IUU activities which start at sea

- Accurate recording, documentation and reporting of total catches (L+D) onboard fishing vessels.
- Electronic reporting systems (e-logbook, VMS...).
- Increased regional observer coverage (at least 20% for LL and 100% for tuna PS), through human & electronic means.
- Prohibition of at sea transshipments (100% landings).
- Scheme of accredited inspectors at regional level with mutual recognition of skills across WA Coastal States.

To guarantee a harmonized, uniform and effective application of Council Regulation (EC) No 1005/2008 + Commission Reg. 1010/2009.

- 1. Uniform implementation across all EU MS (“*level playing field*”).**
 - Harmonisation of procedures for risk analysis, minimum standard (%) of verifications of CC and inspections across MS
 - Methods and criteria to be defined at EU-level, including guidelines.
- 2. A centralized EU-wide IT system (electronic database) for catch certificates information by the end of 2017 (“*no double entry*”).** In line with recommendation included by 14 MS in their biannual reports, that must be used by MS and incorporates a risk tool.
- 3. Improved reporting of activities by EU MS on their biannual compliance reports** submitted to the European Commission (next 2016/2017!).
- 4. Commission audits to MS to verify compliance of import controls**



FISHERY IMPORTS FROM NON-EU COUNTRIES INTO TOP 6 EU IMPORTERS 2014-2015 (Source: EJF)

	IUU Reg imports (annual average in tonnes, 2010- 2015)*	Import CCs received	Verification requests to third countries	Verification requests as % of total CCs received	Import CCs from carded countries (estimate)**	Rejected consignments
Spain	860,000	105,365	1,643	1.559%	3%	58
UK	380,000	49,313	81	0.164%	13%	15
Germany	365,000	90,000	60-70	0.078%	8%	2
Netherlands	350,000	30,335	511	1.685%	14%	1
Italy	350,000	57,172	2	0.003%	20%	0
France	275,000	88,345	66	0.075%	6.5%	12

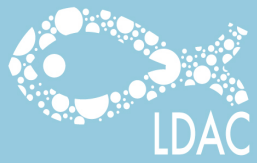
Notes:

Grey shading indicates data for 2012/13

*Eurostat. Calculated based on methodology set out in:

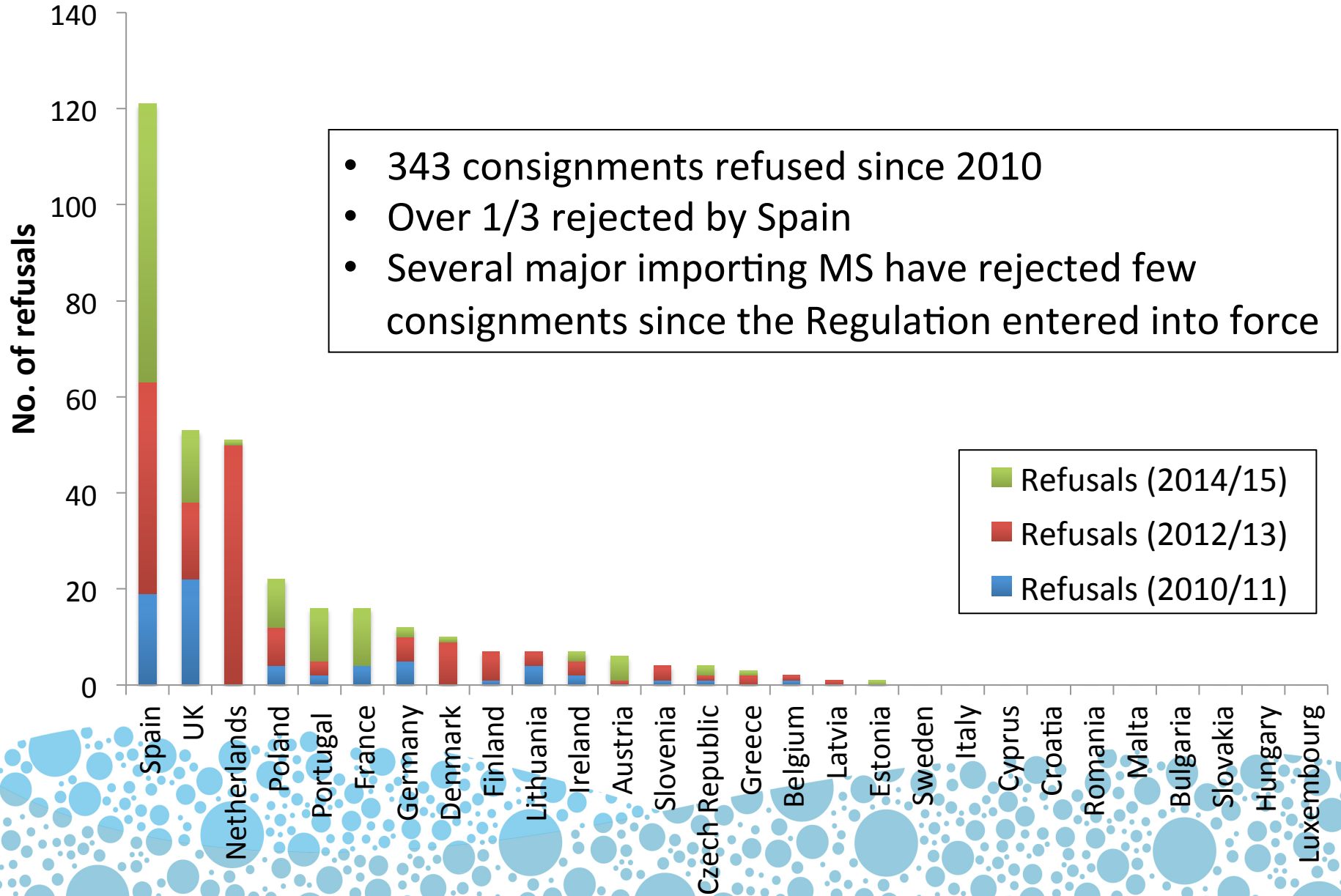
http://ec.europa.eu/fisheries/documentation/studies/iuu-regulation-application/doc/final-report_en.pdf

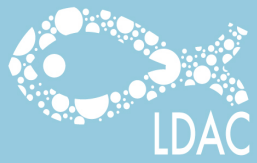
Based on flag State information reported in MS reports. **Red text indicates estimates based on Customs data reported in Eurostat (Germany) or country of origin information contained in Customs import declarations (France) – flag State information not available.



REJECTED CONSIGNMENTS (TOTAL BY MS, 2010-2015)

Source: IUU NGO Coalition (V. Mundy)



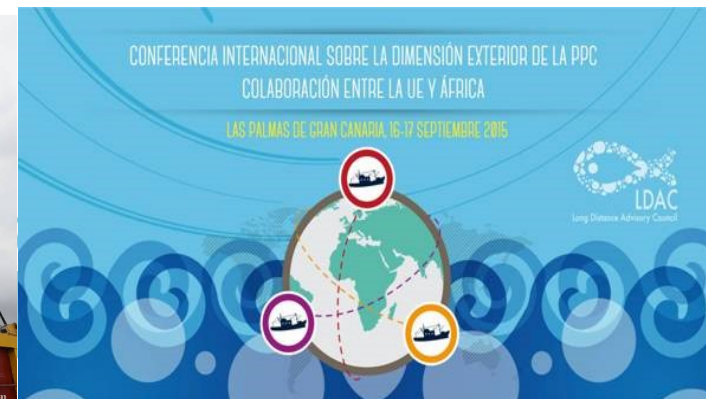


OTHER LDAC ADVICE LINKED TO IUU

- Improving catch data collection and reporting for artisanal/small scale fisheries in African coastal states.
- Strengthening the role of CECAF for assessing the surplus in EEZ of African countries regarding small pelagic stocks, cephalopods and demersal species (tuna and tuna-like stocks are competence of ICCAT).
- Better understanding of how EU carding system works, not only in terms of procedure but also on risk criteria for pre-identification and identification of “uncooperative” countries in the fight against IUU.
- Transparency and accountability in the use of sectorial support under the SFPAs (EU tax-payers’ money).

FORTHCOMING ACTIONS

- Support to projects from Regional Fisheries Bodies in the Atlantic and Indian Oceans (e.g. COMHAFAT, IOC...).
- Active member of EFCA Advisory Board.
- Coordination with new Market AC for advice on ED of CFP.
- Collaboration in projects to foster sustainable management of fisheries: H2020 EAF FARFISH, DG DEVCO “PESCAO”.
- Active contributor to EU Dialogue on International Ocean Governance and UN Process on Development of SDG 2 & 14
- Participating at RFMOs (ICCAT, NAFO, NEAFC) and FAO-COFI



Latest LDAC Advices and Recommendations:

- Recommendations of Las Palmas International Conference on EU-Africa cooperation (Sept 2015): <http://ldac.chil.me/ldac-edcfpconference2015>
- Opinion on Evaluation of Fisheries Control EC Reg. 1224/2009 (2016)
<http://ldac.chil.me/download-doc/103543>
- **DG MARE Consultation to improving Application of IUU Reg (EC) 1005/2008** (March 2016) / Advice (Nov. 2016): <http://ldac.chil.me/download-doc/125741>
- Recommendations for enhancing observance and compliance with international laws on human, labour and social rights of workers in fishing sector (August 2016):
<http://ldac.chil.me/download-doc/120604>

European Commission responses to the LDAC advices

- **Implementing IUU Regulation:** <http://ldac.chil.me/download-doc/127494>
- Transparency & accountability of SFPAs: <http://ldac.chil.me/download-doc/127419>
- Fisheries Transparency Initiative (FiTI): <http://ldac.chil.me/download-doc/127763>
- Human, labour and social rights: <http://ldac.chil.me/download-doc/127092>



THAT'S ALL FOLKS!

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