



International Coalition of Fisheries Associations



EUROPEAN TRANSPORT
WORKERS' FEDERATION

COMMISSIONER
Karmenu Vella

European Commission
Rue de la Loi / Wetstraat 200
1049 Brussels
Belgium

Brussels, 25th June 2015

RE: Public Consultation on International Ocean Governance

Dear Commissioner Vella,

We are writing to you regarding the recent European Commission public consultation on international ocean governance published on 4th June 2015.

In this document, the European Commission states that the aim of this consultation is to gather input on how the EU could contribute to achieving better international governance of oceans and seas. On the basis of these results and other sources of data, the European Commission will then consider how best to develop a policy on improving the current framework.

Against this backdrop, it was rather surprising to read, in what should be an impartial information-gathering exercise, that DG MARE cites a non-governmental organisation in the opening paragraph. This overt reliance on secondary sources from non-international bodies lacks credibility and will certainly be interpreted by the reader that the European Commission's intentions are to endorse NGO opinion on this hugely important issue for many sectors including fisheries.

Similarly, the article goes on to mention: '*A significant number of global actors are making the case that the current international ocean governance framework is not effective enough in ensuring the sustainable use of oceans and their resources...*'. These 'global actors' are then cited in various documents, the first being the Global Oceans Commission and their proposal on high seas governance.

The Global Oceans Commission was an initiative of the PEW Charitable Trusts, supported by Adessium Foundation, Oceans 5 and the Swire Group Charitable Trust. This can be also seen in the second section of the consultation, under 'General Problem Definition'; "*Recent discussions and initiatives...*". These discussions and initiatives are cited as examples previously mentioned, including the Global Oceans Commission. For the European Commission to cite this NGO-funded organization is allowing the general problem of international ocean governance to be defined by an NGO. The European Commission is seemingly therefore allowing *global* groups to have privileged access to EU policy development on the basis of sectoral interests, a clear weakness for the democratic process.

As the European Commission is well aware¹, the Global Oceans Commission has in the past made a series of proposals on how to govern the high seas. In their report, 'From Decline to Recovery', they cite that civil society organisations should act as independent performance watchdogs². Indeed, they go on to state that "*the Global Ocean Accountability Board should provide independent monitoring of progress*³". We would hope that the European Commission would not be of the opinion that an NGO would be considered independent to act as a watchdog, a task that should be undertaken by democratically-elected and accountable governments.

The Global Oceans Commission has also stated that they believe the high seas should be closed off to fishing in an attempt to rebuild fish stocks and build resilience to climate change⁴. Not only do they just single out fisheries under the proposed closures but they dismiss the key role of the RFMOs and EU Advisory Councils to sustainably manage and advise on fishing operations in those areas. Such radical proposals capable of wiping out entire fisheries operations would have a huge social and economic impact and would go against the fact that the FAO considers that 71.2% of global fish stocks are fished at biologically sustainable levels⁵.

Under the next section of the consultation, 'Lack of Knowledge', the European Commission then go on to cite an article from news agency Reuters on the importance of plankton as an oxygen generator instead of using robust scientific data or any consultation with the European Environment Agency.

The document then goes on to mention Illegal, Unregulated and Unreported (IUU) fishing as one example of the problems associated with international ocean governance. While this is a persistent problem that should be eradicated as soon as possible, the document suggests that the EU's current Regulation on IUU fishing is not working, which goes against the positive tone of your press statement of 4th June 2015. Nowadays, IUU fishing is mainly an issue of control, not of fisheries management and we believe that the EU is making great progress in this field (e.g. South Korea).

Furthermore, in line with the European Commission's "Joint Communication for an open and secure global maritime domain: elements for a European Union maritime security strategy" (2014), the EU should build upon existing achievements maintaining a consistent approach to deter and fight against illegal, unregulated and unreported (IUU) fishing.

While illegal practices are a threat to the viability of fish stocks and of great concern, recent developments are showing that some third countries' fishing industries are working under unacceptable conditions. European IUU legislation makes no reference to substandard living and working conditions of fishers as a denominator of illegal fishing activities.

¹ Re-energising the Oceans conference 30th June 2014 jointly organised by the European Commission and Global Oceans Commission

² Proposal 4" Illegal, Unreported and Unregulated Fishing, From Decline to Recovery; A Rescue Package for the Global Ocean

³ Proposal 8 Creating a High Seas Regeneration Zone

⁴ Proposal 8 Creating a High Seas Regeneration Zone

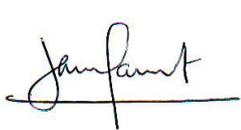
⁵ Page 37, World Review of Fisheries and Aquaculture, FAO

The ILO Work in Fishing Convention, 2007 (No 188) is designed to ensure that fishermen worldwide have access to decent working and living conditions. The convention sets out a basic framework of obligations for employers and for governments to guarantee minimum standards in national legislation. Once ratified and implemented by the states concerned, it will cover all fishermen on board fishing vessels regardless of their flag and the nationality of the crew.

Notwithstanding the repeated request of the EU Social Partners in the fisheries sector, the European Commission has shown little interest in transposing the Social Partners' Agreement on implementation of the Work in Fishing Convention, 2007 (C188) submitted in June 2013 into Union law. The non-implementation of this Convention contributes to a lack of transparency and inhibits flag and port state control. The lack of enforcement of safety and labour standards make fishers particularly vulnerable to forced labour and human trafficking.

The European and International fishing industry believe it would not be wise to have 'an overarching body at UN level⁶ or another layer of legislation to sustainably govern our oceans but we do need a serious commitment from all international players to implement and enforce the existing rules. Furthermore, we would expect that the European Commission would not openly support positions of non-elected non-governmental bodies to dictate and monitor policies covering the oceans and affecting the lives of many.

Yours sincerely,



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President of
Europêche



Pim Visser
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⁶ Page 5, European Commission Public Consultation on International Ocean Governance