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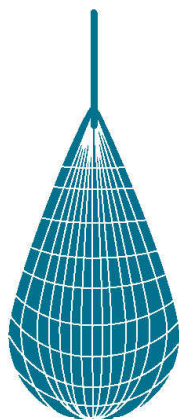
MORE FISH FOR HEALTHY SEAS

## REFORM OF THE COMMON FISHERIES POLICY

# WWF recommendations for the European Unions external fleet

Fishing outside EU waters by EU vessels should be firmly anchored in the 2012 revision of the Common Fisheries Policy. This is to ensure consistency and clarity on the standards of behaviour for EU vessels wherever they fish. WWF recommends the following improvements to the rules that apply to EU activities, to ensure sustainable fisheries abroad:

### 1. GOVERNANCE AND TRANSPARENCY



a) **Governance** should be improved through **targeted funding and policy reform**. EU funding to coastal states in Fisheries Partnership Agreements (FPAs) should be earmarked for strengthening governance and administrative capacity, encouraging regional cooperation, developing longer term fisheries management and development strategies, and improving the scientific basis of management advice.

b) The terms and conditions of FPAs must be **transparent and accessible** to the public and all interested parties. Full transparency can be achieved by ensuring that ex-ante and ex-post evaluations of FPAs remain compulsory; are jointly commissioned by the EU and coastal states and are effectively carried out by an independent third party; and results are disclosed publicly in a timely manner.



c) The EC should also ensure that Total Allowable Catches (TACs) taken by its external fleet are conditional on, and **never exceed, the predetermined possible catch surplus**. Vessel owners must provide catch data and an adequate Monitoring, Control and Surveillance (MCS) or effective alternative system must be set up.

d) **Policy coherence for development** is a legal requirement and policy objective for the EU. It should be reinforced by:

- making DG-MARE and DG-Development jointly responsible for FPAs;
- applying relevant principles outlined in the FAO Code of Conduct for Responsible Fishing, EU commitments towards Policy Coherence for Development, and the EU-ACP Cotonou Agreement;
- incorporating human rights, anti-corruption and accountability obligations in all FPAs; and
- ensuring that FPAs are consistent with or contribute to the poverty reduction and human development objectives identified in the EU's Country and Regional Strategy Papers.
- In addition, the EU should provide technical support to coastal states in formulating and implementing their fisheries policies, including support in combating illegal fishing and for compliance with EU and global standards and regulations (e.g. IUU regulation and Port State Measures Agreement).

## 2. EXCLUSIVITY

The EU should maintain the sole authority to negotiate the fisheries management terms and conditions (e.g. TACs, rights and responsibilities with coastal state governments). Once the EC - coastal state government agreement is concluded, only then can distant water fleet owners negotiate the licence costs with the coastal states and pay for them, consistent with the provisions of the broader fisheries management agreement. WWF agrees with the Commission's approach of separating the sustainable fisheries agreement and the fishing access licence. A practical means for achieving this separation goal would be to introduce a transition period for transferring all payment responsibilities to the vessel owner.

## 3. REFLAGGING

The EU should take responsibility for its fleets and discourage the practice of reflagging. The problem of overcapacity is not addressed by reflagging vessels which then continue to fish under another flag. The EU should champion effective rights based management schemes in allocating quotas in Regional Fisheries Management Organisations (RFMOs to directly tackle capacity at a global scale).



## 4. LONG TERM MANAGEMENT PLANS

Consistent with WWF's call for mandatory long term management plans for every commercial fishery in the EU by 2015, similar plans should be mandatory in all fisheries partnership agreements as well as in RFMOs. WWF recommends a ten year transition period from the time the new CFP reform is concluded after which all bilateral agreements would become conditional on having effective LTMPs. For LTMPs in high seas and third countries' coastal waters the EU should show technical and financial leadership in establishing management agreements amongst all fishing nations involved.

## 5. REGIONALISATION

The EC's regional approach to fisheries management should also apply to FPAs. The EC's intention to limit future agreements to tuna and possibly small pelagics dovetails well with a regional approach. Most tuna stocks are covered by RFMO arrangements, and coastal states in several areas have formulated joint regional access conditions in their EEZs (examples: West-Africa's Commission Sous-Régionale des Pêches (CSR) and the Nauru Agreement in South-West Pacific). Terms for RFMOs and FPAs must be mutually coherent and must take into account these regional access conditions.



## 6. RFMOs AND CONTROL MEASURES

Consistent with the 2006 UN General Assembly resolution calling on RFMOs to expand their mandate to marine conservation and sustainable fisheries, the EC should be given an unequivocal negotiating mandate for all RFMOs. The current pressure for RFMOs to improve their management performance requires new approaches, e.g. spatial planning, traceability mechanisms and rights based management. The EC should also support the special needs of developing states to enable them to participate on an equal footing in RFMOs. Exclusive rights are essential for RFMOs to prevent overfishing and require a system of transparent monitoring, compliance and enforcement. Current RFMO governance procedures based on consensus are often ineffective in achieving this. The system for imposing sanctions should be strengthened to include a wide range of measures, e.g.:

- (1) Port closures and bans on transshipment;
- (2) Reductions in allocated quotas;
- (3) Trade or other commercial sanctions;
- (4) Removal of vessel officers' licences or eligibility to fish;
- (5) Inclusion in IUU vessel lists, and
- (6) Agreements among RFMO members to seek enforcement in an international legal tribunal or other form of dispute resolution.

**For further information:**

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