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# OUT OF SIGHT, OUT OF MIND

THE EU'S EXTERNAL FISHING ACTIVITY AND  
THE SUSTAINABLE DEVELOPMENT GOALS

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# DOES THE EU'S FISHING ACTIVITY OUTSIDE EUROPEAN WATERS CONTRIBUTE TO THE SUSTAINABLE DEVELOPMENT GOALS?

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# EXECUTIVE SUMMARY

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The European Union's (EU) fishing fleet engages in extensive fishing activities in the Exclusive Economic Zones (EEZs) of other countries as well as in the High Seas. Vessels operating in these territories are known as the distant water or external fleet.

The Common Fisheries Policy (CFP), provides a policy framework for the management of European fisheries distant water activities and comprises an external dimension that establishes rules for the EU fleet. Operating through Sustainable Fisheries Partnership Agreements (SFPAs) or other forms of agreements, the EU can strike deals with third party countries to access local surplus fish stocks in return for financial and technical support to the local fisheries sector. Additionally, the EU participates in numerous Regional Fisheries Management Organisations (RFMOs) which are international bodies whose member countries hold an interest in sustainably managing fish stocks across a particular geographical area.

Fishing activities of EU Member States within EU waters have been documented through annual reporting of Member States to the European Commission, detailing their achievement of the objectives set-out in the CFP. Yet little has been reported about the EU's external fishing fleet. It is difficult to evaluate the sustainability of the EU's external fishing practices due to lack of formal documentation and scientific data as well as many cases of misreporting and continued problems of Illegal, Unreported and Unregulated (IUU) fishing. A lack of formal documentation and scientific data basing EU's fishing activities outside Union waters as well as many cases of misreporting and continued problems of IUU fishing outside of EU jurisdictions means it is still difficult to evaluate the sustainability of the EU's external fishing practices.

The United Nations Agenda 2030 and 17 Sustainable Development Goals (SDGs) represent a useful framework to evaluate the contribution of the CFP's external dimension to implementing sustainable development. SDG 14 'Life Below Water', is the most relevant to fisheries policies such as the CFP as it aims to 'conserve and sustainably use the oceans, seas and marine resources for sustainable development'. However, given the scope of the external dimension of the CFP, its contributions to sustainable development are not confined to SDG 14 alone.

This report undertakes a comprehensive review of the CFP's external dimension, the SDGs and the role of SFPAs and RFMOs clearly illustrating where strengths and deficiencies lie when considering Europe's fishing activities outside of EU waters. Case studies include Spain and France's involvement in SFPAs, and the role of the International Commission for the Conservation of Atlantic Tunas (ICCAT) and Southern Indian Ocean Fisheries Agreement (SIOFA) in achieving the SDGs. Recommendations highlight specific areas for improvement to move the EU's external fleet towards a more sustainable future as outlined by the SDGs.

# REPORT RECOMMENDATIONS

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## THE COMMON FISHERIES POLICY (CFP) EXTERNAL DIMENSION, THE SUSTAINABLE MANAGEMENT OF EXTERNAL FISHING FLEETS (SMEFF) AND ILLEGAL, UNREPORTED AND UNREGULATED (IUU) FISHING

The EU should use the Policy Coherence for Development (PCD) reporting to detail how the CFP's external dimension supports the implementation of the 2030 Agenda and the sustainable economic, social and environmental development of developing countries, with the primary aim of eradicating poverty.

To increase accountability and transparency on the environmental impacts of EU's external fishing, real-time (or close to real-time) data collection is required including via the creation of global platforms to visualise, interpret and share the data.

Fishing and catch data from fisheries outside of EU waters needs to be made publically available so that vessel operators and EU Member States can be held accountable for fishing activities that don't comply with the CFP regulation.

Remote Electronic Monitoring (REM) incorporating both video recording of fishing activities and vessel monitoring systems (VMS) to record location need to be implemented by all fisheries sectors across the EU fleet as soon as possible. REM is the best tool to increase compliance with management measures whilst helping to reduce IUU fishing and associated human rights offenses.<sup>1</sup>

Stronger sanctions harmonised across EU Member States should be implemented to deter IUU fishing.

EU member states and the European Commission need to promote the mandatory use of an IMO number for eligible vessels to avoid the practice of "flag hopping" and monitor the fishing practice of each vessel.

Monetary fines should be used to compensate for the damage done to marine environments and communities impacted by reduced local fish stocks and related fisheries economies.

## SUSTAINABLE FISHERIES PARTNERSHIP AGREEMENTS (SFPAs)

More clearly defined stock information for exploited species is needed to provide accurate estimates of stock “surplus” and to allow for fishing at Maximum Sustainable Yield (MSY) to be properly evaluated. Where practices show overfishing or underreporting by EU vessels, there must be appropriate financial sanctions in place to compensate the partner countries.

A standardised system of data collection and presentation for all SFPAs and joint ventures, containing contact information for key personnel, is necessary to fully understand the agreements; this includes knowing who is responsible (vessels, fisheries agencies, managers, policy makers) for monitoring and delivering all aspects of these agreements accurately to evaluate, EU Member States in general.

When developing or renewing an SFPA the EU must request that the third countries provide information on all other Distant Water Fishing Nations fishing within their EEZ in order to determine the fishing effort and the status of fish stocks in the area.

Trade rules should oblige non-EU nations who trade with the EU to provide access to key data and information that will support evaluation of best practices for the EU and the partner countries of SFPAs.

The EU must require Member States to report to the European Commission (EC) on private agreements, the Member States must also be empowered to sanction their vessels that do not comply with this requirement.



# THE RELATIONSHIP BETWEEN THE CFP'S EXTERNAL DIMENSION & SFPAs WITH THE SUSTAINABLE DEVELOPMENT GOALS

The EU must develop meaningful quantitative indicators to explicitly detail the extent to which the CFP's external dimension contribute to the SDGs (and provide adequate resources to collect relevant data).

SFPAs will need to consider the whole fisheries supply chain, in which close to 60% of jobs are undertaken by women,<sup>2</sup> to evaluate levels of effective participation and equal opportunities for leadership for women (SDG target 5.5).

A precautionary approach for management of Fish Aggregation Devices (FADs) in both SFPAs and RFMOs needs to be taken until more is known about their impact on non-target species to ensure SDG target 14.4 (the effective regulation of fishing, an end to overfishing and destructive fishing practices) can be attained.

SFPAs signed between Small Island Developing States (SIDS) and EU vessels need to be carefully evaluated to ensure the EU is effectively implementing SDG target 14.7 (increasing economic benefits to SIDS and least developed countries).



# THE EUROPEAN UNION'S CONTRIBUTION TO THE SDGs THROUGH THE REGIONAL FISHERIES MANAGEMENT ORGANISATIONS (RFMOs)

The EU alongside other Contracting Parties within RFMOs should encourage the development of robust indicators to measure the socio-economic impacts of RFMO members and their contribution to the SDGs (including collection and dissemination of data transparently).

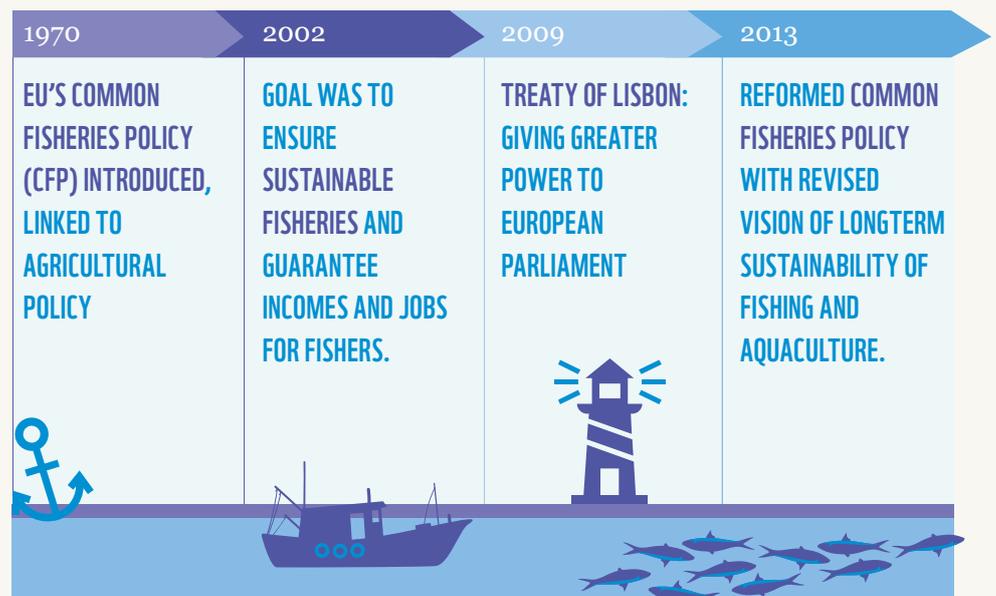
To improve RFMO performance in fulfilling the SDGs, EU Member States and the European Commission need to promote best practice in decision-making procedures, such as the dispute-resolution mechanisms found in the Northwest Atlantic Fisheries Organisation (NAFO) and the South Pacific Regional Fisheries Management Organisation (SPRFMO).

The European Commission and EU Member States must work towards better monitoring and data collection to demonstrate compliance with and links between the SFPAs and RFMOs policies and their impacts on economic, environmental and social impacts on local communities. This data needs to be cross-checked by independent third parties to ensure it is standardised, accurate and valid to build a more robust picture of the external fleet activity.



# THE COMMON FISHERIES POLICY (CFP)

The European Union (EU) is the largest trader of fishery and aquaculture products in the world with net imports reaching €24 billion in 2018 compared with €5.3 billion of seafood products exported.<sup>3,4</sup> One EU policy that has significant impacts both within and outside of Europe is the EU's Common Fisheries Policy (CFP, 2013).<sup>5</sup>



The CFP was first introduced in 1970<sup>6</sup> and has undergone revisions every ten years since then. The CFP was initially linked to the Common Agricultural Policy (CAP) but over time has become independent. In 2002, the primary goal of the CFP was to ensure sustainable fisheries and guarantee stable incomes and employment for the fishery sector. In 2009, the Treaty of Lisbon came into force granting the European Parliament greater power to legislate, enabling it to further shape the CFP and supervise the rules that govern the EU's fishing activities. In 2013, the EU Council and European Parliament reached an agreement on a reformed CFP<sup>(see 4)</sup> with a revised vision of long-term environmental, economic and social sustainability for fishing and aquaculture activities in the EU.

## THE CFP AND THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA (UNCLOS)



**ALTHOUGH THESE AREAS BEYOND NATIONAL JURISDICTION (ABNJ - COMMONLY KNOWN AS THE HIGH SEAS) CURRENTLY CONTAIN AN ESTIMATED 10% OF FISHED STOCKS, THEY MAKE UP 64% OF THE SURFACE OF THE OCEANS AND NEARLY 95% OF THEIR VOLUME.**

The CFP was introduced at a time when the unrestricted access to all fisheries resources was coming to an end due to the signing of the legally binding United Nations Convention on the Law of the Sea (UNCLOS, 1982<sup>7</sup>) by 166 states including the European Union.<sup>8</sup> This allowed nations to declare their Exclusive Economic Zones (EEZs) up to a 200 nautical mile limit from their respective coastlines. UNCLOS defined the rights and responsibilities of nations with respect to their use of ocean resources, establishing guidelines for businesses, the protection of the marine environment, and the sustainable management of marine natural resources. Although the total EEZ areas now cover only 35% of the ocean, UNCLOS brought approximately 90% of global fishery resources under the control of coastal states.<sup>9</sup> At the time of the ratification of UNCLOS, the EU's international fishing fleet was already active on the high seas and within the coastal waters of non-EU nations. The signing of UNCLOS recognised the rights of coastal nations to control fish harvests in their EEZs and enabled scrutiny of the EU's external fleet fishing grounds which having previously been subject to open access were now closed to international fishing activities, unless an agreement between the foreign nation (EU Member States or other nations) and the coastal nations was signed.

The areas of the ocean that remain open access lie beyond the 200 nautical mile limit of the coastlines of individual nations. Although these Areas Beyond National Jurisdiction (ABNJ - commonly known as the high seas) currently contain an estimated 10% of fished stocks, they make up 64% of the surface of the oceans and nearly 95% of their volume.<sup>10</sup> They are also home to many highly migratory species such as tuna and swordfish species which in many cases do not permanently reside in any one nation's EEZ, but rather transit between ABNJ and various EEZs, often based on the availability of prey and unique reproductive behaviours. Many highly migratory species are of high commercial market value. A large proportion of biodiversity hotspots such as seamounts and submarine canyons also lie within ABNJ.<sup>11</sup>

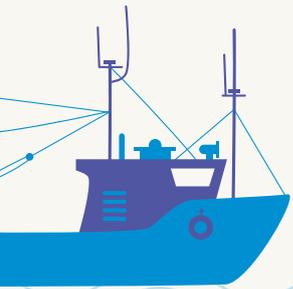
No nation bears sole responsibility for the management of these areas, resulting in few safeguards to protect the marine species and ecosystems found within ABNJ.<sup>12</sup> However, Regional Fishery Management Organisations (RFMOs), international organisations established by voluntary international agreements or treaties, do have the remit of sustainably managing fishery resources in international waters and in some areas of country EEZs.

## THE EXTERNAL DIMENSION OF THE CFP

The impact of EU fisheries extends far beyond the 200 nautical mile limit of the of the EU Member States EEZs, it has been suggested that declines in some EU fish stocks along with more stringent European fishing regulations have driven EU fishers further offshore and into the waters of non-EU countries.<sup>13</sup>

The environmental and economic impacts continue to grow due to a highly connected, global economy, technological innovations in satellite navigation systems, communication systems, fish locating devices, at-sea refrigeration and fish processing technologies, growing demand for cheap seafood through European and Asian seafood markets and subsidies helping to fund vessels fishing further offshore.<sup>14</sup> This wider reach of the EU's fisheries has resulted in the inclusion of an External Dimension in the CFP that frames the rules for EU fishing operations outside of the EU's EEZ.<sup>15</sup> Between 2006 and 2020, approximately 23,000 fishing vessels operated under EU flags in external waters through the Fishing Authorisation Regulation (FAR).<sup>16</sup>

The specific objectives of the CFPs external dimension are as follows: <sup>17</sup>



To ensure appropriate European Union access to the world's main fishing zones and resources;

To supply fish to European markets and provide employment;

To tackle destructive fishing practices;

To enhance bilateral and regional cooperation;

To improve scientific research and data collection;

To combat Illegal, Unregulated and Unreported (IUU) fishing;

To contribute to the sustainable development of world fisheries;

To strengthen control and inspections under the Regional Fisheries Management Organisations (RFMOs).



**EU POLICIES MUST FOSTER THE SUSTAINABLE ECONOMIC, SOCIAL AND ENVIRONMENTAL DEVELOPMENT OF DEVELOPING COUNTRIES, WITH THE PRIMARY AIM OF ERADICATING POVERTY**

The External Dimension of the CFP (Article 28) <sup>(see 5)</sup> includes a non-discrimination clause which notes that EU fishing activities outside of EU waters should be based on the same principles and standards as those applicable under EU law within EU waters. With regards to fisheries relations with developing countries, it is also important to note Policy Coherence for Development (PCD) in which the EU seeks to take account of development objectives in its policies that are likely to affect developing countries, which many of the partner countries in the EU's fisheries relations are.

However, the implementation of these policies and therefore achievement of the objectives can be lacking. The EU's general provisions on its external action states that EU policies must "foster the sustainable economic, social and environmental development of developing countries, with the primary aim of eradicating poverty" and "shall take account of the objectives of development cooperation".<sup>18</sup> The developing partner nations are expected to uphold the standards set out in EU fisheries policy. For example, West African countries often have a significant deficit in their fisheries monitoring, control and surveillance capabilities. The EU therefore uses both its development policy (the European Development Fund (EDF) PESCAO project supported by the European Fisheries Control Agency<sup>19</sup>) to help address this by helping to develop a regional fishing policy, regional coordination against IUU fishing and improving fish stock management along Africa's West coast.<sup>20</sup>

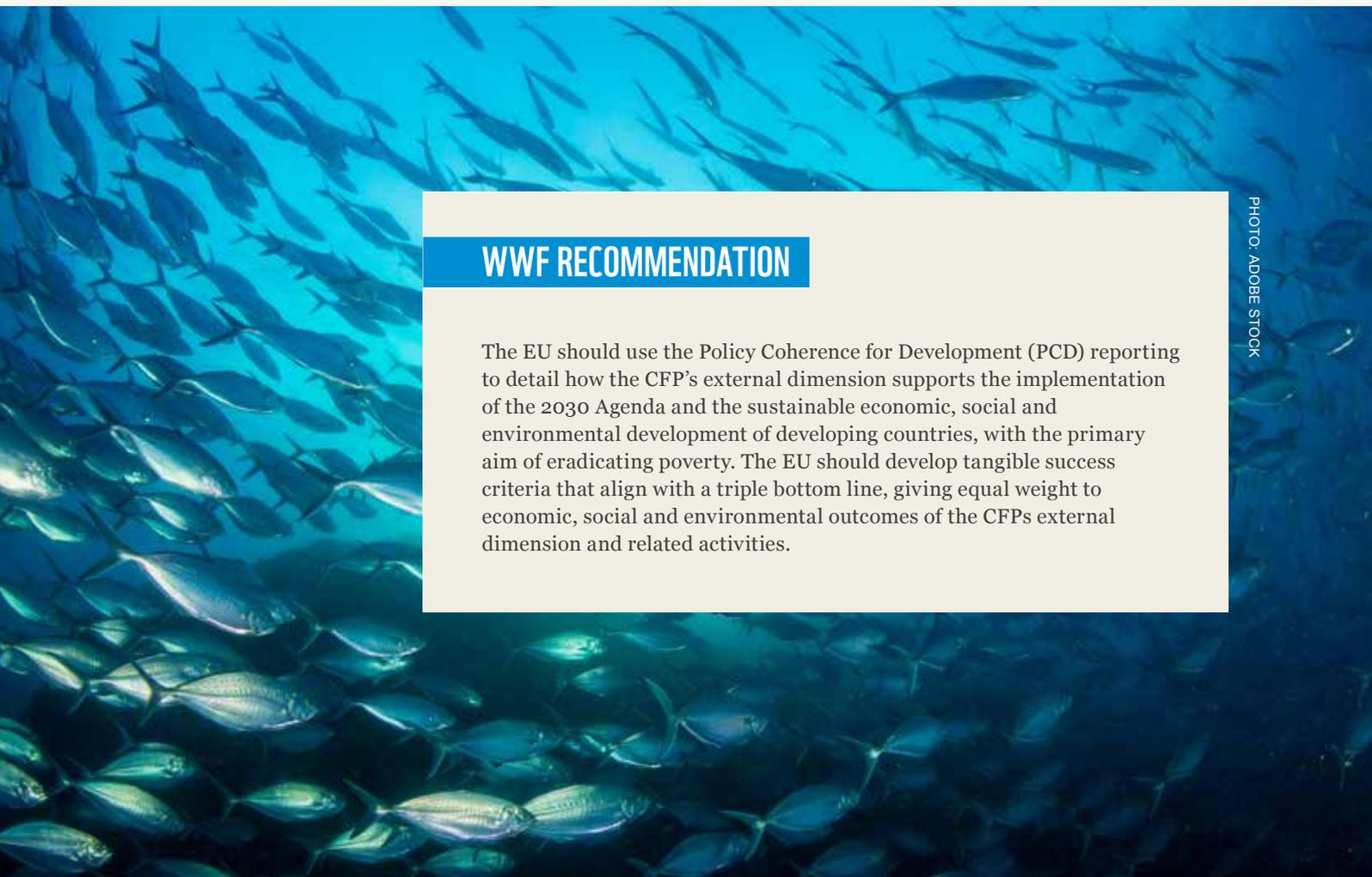


PHOTO: ADOBE STOCK

**WWF RECOMMENDATION**

The EU should use the Policy Coherence for Development (PCD) reporting to detail how the CFP's external dimension supports the implementation of the 2030 Agenda and the sustainable economic, social and environmental development of developing countries, with the primary aim of eradicating poverty. The EU should develop tangible success criteria that align with a triple bottom line, giving equal weight to economic, social and environmental outcomes of the CFPs external dimension and related activities.

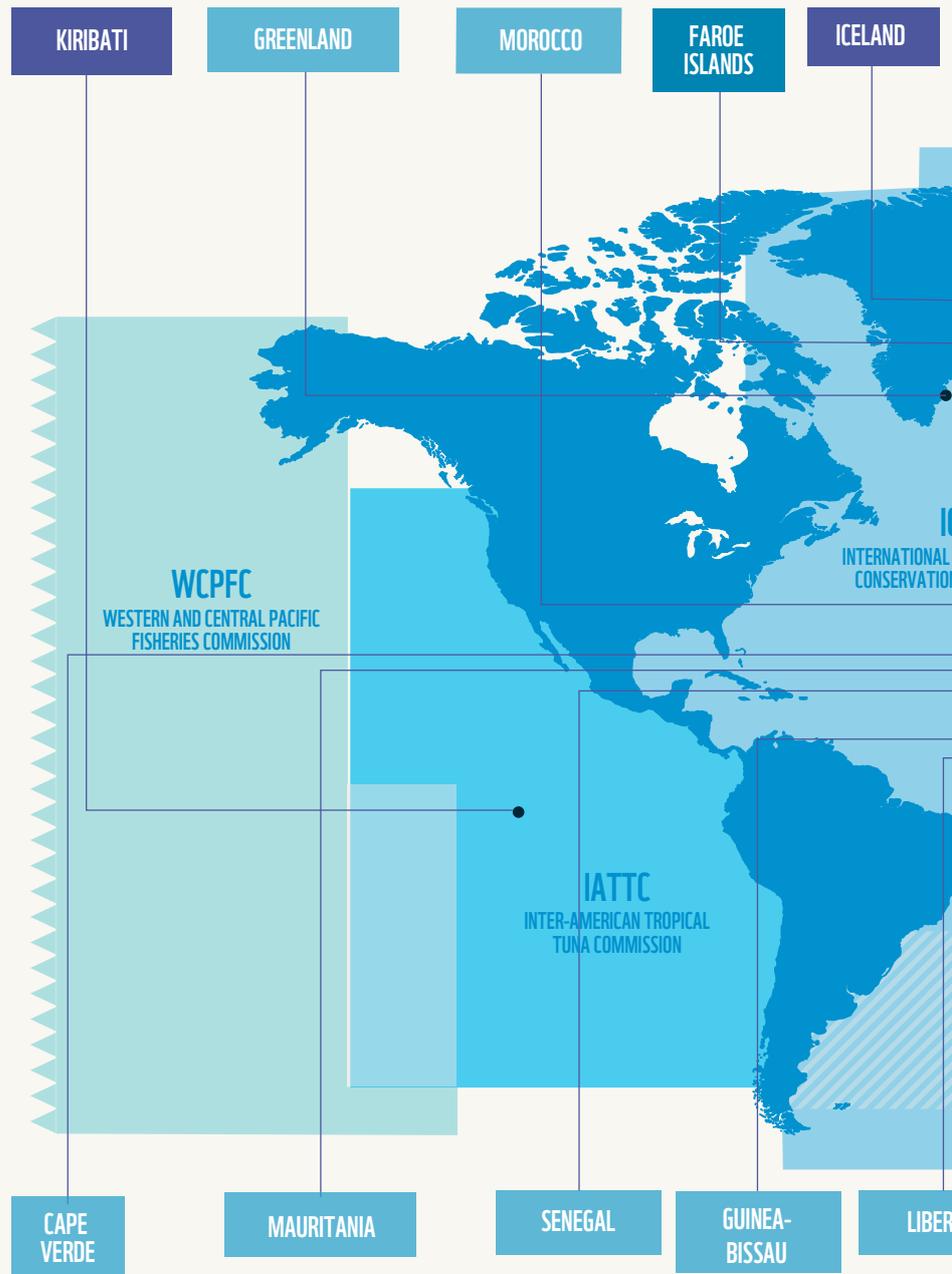
FIGURE 1

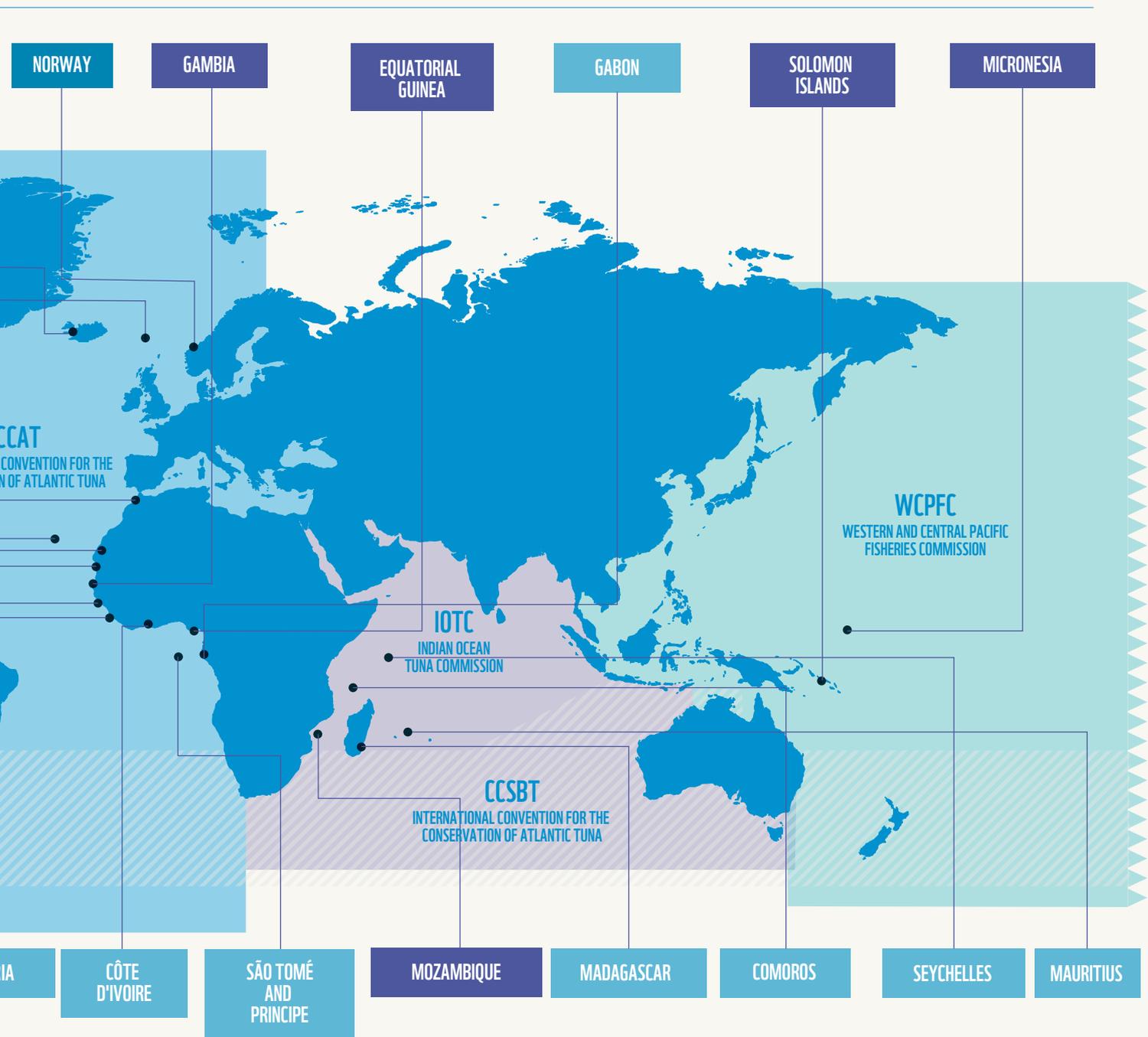
# INTERNATIONAL COOPERATION AND DEVELOPMENT

The EU's fishing activities outside Union waters is structured around three types of agreement and one regulation (see also Annex 1):

- **BILATERAL FISHERIES AGREEMENTS (COUNTRIES WITH EXCLUSIVE ZONES THAT EU VESSELS HAVE ACCESS TO).**
- **RECIPROCITY AGREEMENTS (QUOTA EXCHANGE BETWEEN EU AND OTHER COUNTRIES).**
- **DORMANT BILATERAL AGREEMENTS (COUNTRIES WITH FISHERIES AGREEMENTS BUT WITHOUT A PROTOCOL IN FORCE.)<sup>21</sup>**

Map indicates the tuna RFMOs.





## THE SUSTAINABLE MANAGEMENT OF EXTERNAL FISHING FLEETS (SMEFF)

One persistent problem regarding the EU's fishing fleet relates to their proper regulation and the transparency of their fishing behaviours.<sup>22</sup> Monitoring the EU's overseas fleet has been notoriously problematic, making it difficult to properly evaluate whether current fishing practices that occur outside of EU waters have impacted marine biodiversity or contributed to overfishing on the high seas or within the EEZs of EU partner countries.<sup>23</sup> A significant step forward to tackle this issue was taken in 2017 when the system that issues and manages fishing authorisations was revised. The new Sustainable Management of External Fishing Fleets (SMEFF<sup>24</sup>) Regulation has replaced the previous Fishing Authorisation Regulation (FAR<sup>25</sup>) and provides a general framework for authorising EU vessels to operate outside of EU waters and third-country vessels operating in EU waters. The Data Collections Regulation also requires EU vessels to provide data on their environmental impact outside of Union waters, however this is often not provided. To date, the most comprehensive database on the EU's external water fleet is The Who Fishes Far database.<sup>26</sup> The most significant innovations in the SMEFF Regulation are the eligibility criteria for vessels seeking authorisation, the official reporting of private access agreements and the proposed formation of a common electronic register for all authorisations, although currently the EU's electronic register is still under development.



**MONITORING THE EU'S OVERSEAS FLEET HAS BEEN NOTORIOUSLY PROBLEMATIC**

### WWF RECOMMENDATIONS

Fishing and catch data from fisheries outside of EU waters needs to be made publically available so that vessel operators and EU Member States can be held accountable for fishing activities that don't comply with the CFP regulation.

To increase accountability and transparency of the environmental impacts of EU's external fishing, real-time (or close to real-time) data collection is required including via the creation of global platforms to visualise, interpret and share the data.

PHOTO: ADOBE STOCK

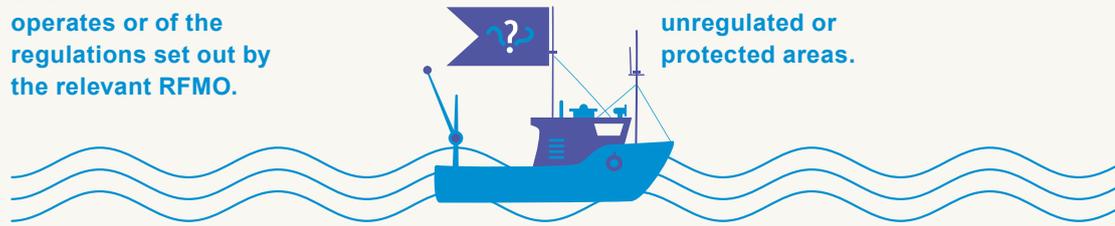


# ILLEGAL, UNREPORTED AND UNREGULATED (IUU) FISHING

**Illegal fishing** occurs when a vessel operates in violation of fisheries laws of the coastal or flag state under which the vessel operates or of the regulations set out by the relevant RFMO.

**Unreported fishing** occurs when catches are not reported or are misreported to a relevant authority.

**Unregulated fishing** refers to vessels that fish without nationality, using the flag of a country not party to an RFMO or within unregulated or protected areas.



IUU fishing is one of the greatest problems faced by marine fisheries and experts estimate losses of legitimate income up to €20 billion per year.<sup>27</sup> That equates to between 11-26 million tonnes of fish or 15% of global catch caught IUU activity.

Illegal fishers have strong economic incentives to continue such activities as long as governments fail to adequately monitor and regulate such activity. A lack of enforcement of national and international laws creates the opportunity for IUU fishing activities to take place undetected and without punishment and is often driven by a lack of capacity and poor governance.<sup>28</sup>

EU-registered vessels can currently employ different tactics to carry out IUU fishing activities. These include reflagging, where EU vessels can reregister their vessel in the third country and fly “flags of convenience” – which are the flags of the countries within whose waters the vessel owners want to fish to avoid compliance with EU fisheries management rules. Following IUU fishing activities, many of these vessels often then re-register as an EU vessel and return to the EU fleet. Although such flagging and re-flagging is legal, it is unscrupulous behaviour when a vessel operator repeatedly and rapidly changes a vessel’s flag in order to avoid certain laws or conservation and management measures. This type of tactic is a big driver of IUU fishing as many third countries fail to exercise regulation over ships registers and lack measures to effectively monitor vessel activity within their waters. The reformed CFP requires vessels that have left the EU fleet register to return to it within 24 months and provide proof of their compliance with EU laws and standards whilst they were reflagged to a non-EU country. Without this they are unable to regain the EU fishing registry. Although the EU has declared its support for the eradication of vessels flying flags of convenience and has condemned the growing use of private agreements outside the control of EU authorities, there appears to be little movement towards achieving this.

## WWF RECOMMENDATIONS

Remote Electronic Monitoring (REM) incorporating both video recording of fishing activities and vessel monitoring systems (VMS) to record location need to be implemented by all fisheries sectors across the EU fleet as soon as possible. REM is the best tool to increase compliance with management measures whilst helping to reduce Illegal Unreported and Unregulated fishing and associated human rights offences<sup>(see 1)</sup> with the additional benefit of improved data collection to underpin management decisions. These REM systems, alongside scientific observers are additionally able to monitor the bycatch of non-target species (such as cetaceans and seabirds) and assess the efficiency of measures to prevent the occurrence of by-catch.

Stronger sanctions harmonised across EU Member States should be implemented to deter IUU fishing.

Monetary fines should be used to compensate for the damage done to marine environments and communities impacted by reduced local fish stocks and related fisheries economies.

EU member states and the European Commission need to promote the mandatory use of an IMO number for eligible vessels to avoid the practice of “flag hopping” and monitor the fishing practice of each vessel.



# SUSTAINABLE FISHERIES PARTNERSHIP AGREEMENTS (SFPAS)

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## RECIPROCAL AGREEMENTS

The exchange of fishing opportunities between EU fleets and third countries has resulted in many shared stocks being jointly managed under what are known as reciprocal agreements. These agreements are mostly made with Northern countries adjacent to EU waters to regulate the management of joint stocks and reciprocal access between countries to each other's EEZ's and the exchange of fisheries quotas for certain stocks. One example is the largest fishing agreement in Europe known as the EU-Norway agreement<sup>29</sup> which includes bilateral (North Sea and Atlantic) as well as trilateral (Denmark, Sweden and Norway) components that set catch quotas of jointly managed stocks and include the exchange of fishing opportunities (reciprocal quota exchange) between states.



## BILATERAL AGREEMENTS

The first formal bilateral European fisheries agreements were formed in the late 1970's. These bilateral agreements were redesigned and renamed Fisheries Partnership Agreements (FPAs) as part of the 2002 CFP reform. The FPAs were designed to provide a mechanism that allowed the EU to pay a financial fee and provide technical support to partner countries in exchange for fishing rights in that country's EEZ. The financial payment was made up of two parts: the first supported a portion of the cost of access to the fisheries resources and the second consisted of sectoral support to help improve fisheries governance in the coastal state.

The reformed CFP of 2013 built on FPAs and introduced Sustainable Fisheries Partnership Agreements (SFPAs) which, along with providing financial contributions and technical support to partner countries, aims at contributing to scientific research, monitoring, control and surveillance of the fishing activities undertaken with the EEZ of partner countries.



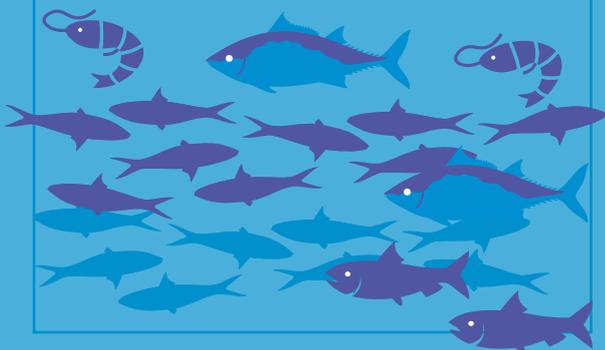
## SUSTAINABLE FISHERIES PARTNERSHIP AGREEMENTS (SFPAs)

There are two main types of SFPAs

### MIXED AGREEMENTS

Provide EU vessels with access to the surplus (as identified by the partner country) or to resources that the partner country is unable to access (often due to local technical limitations such as small fishing vessels or poor fishing equipment within the partner country) of a wide range of fish stocks in the EEZ of the partner country.

An example of a mixed agreement is the one between the EU and Mauritania.<sup>30</sup> This 8-year agreement, which expires in November 2020, allows the EU fleet to fish in Mauritanian waters for shrimp, demersal fish, tuna and small pelagic fish, up to a total of 287,050 tonnes per year. For this access, the EU pays a financial contribution of up to €57.5 million per year (comprised of EU and EU vessel owner payments) for access to waters and €4.125 million for supporting local fishing communities and improving fisheries in Mauritania.

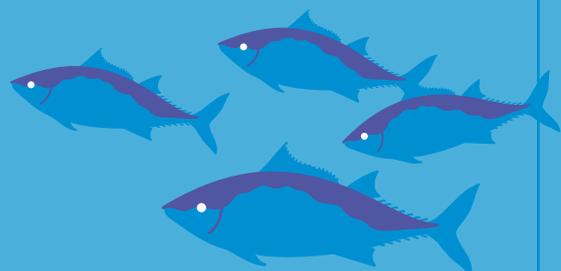


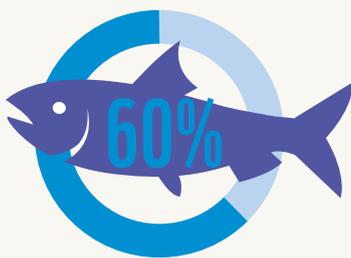
### TUNA AGREEMENTS

Allow EU vessels to pursue migrating tuna and tuna-like species as they move through the EEZ of an SFPa partner country.

The tuna quotas are allocated to third country coastal states through an RFMO, after which that coastal state then makes an agreement with the EU to allocate a reference tonnage, or a part thereof, to the EU.

An example of a tuna agreement is that between the EU and the Cook Islands.<sup>31</sup> The 4-year Implementation Protocol associated with this agreement expires in 2020 and allows a maximum of 4 EU purse seiners to fish for tuna and other Highly Migratory Species (HMS) in the Cook Islands' fishing zone (up to 7,000 tons per year). In return the Cook Islands will receive an estimated €5.3 million from the EU and ship owner contributions during the 4 years.





**THE TOTAL DIETARY PROTEIN NEEDS MET FROM FISHERY ACTIVITIES IN MANY PARTNER COUNTRIES CAN BE AS HIGH AS 60%**

The SFPAs represent a significant stepping stone to improved international fisheries management and policy. They are designed to exploit partner country fisheries resources within sustainable limits by sharing surplus stocks, consulting all major fishery stakeholder groups during negotiations and providing accountability whilst contributing to the social and economic development of the often less-developed partners. However, this is not always the case.

SFPAs are restricted to agreed target species and give priority to local artisanal fleets, banning discards and targeting surplus fish stocks only. One recurring problem is how organisations or nations define their “surplus”, particularly considering that many do not have the appropriate stock assessment data to quantitatively estimate what is an ecologically safe amount of fish to extract from their waters.

An exclusivity clause in the CFP’s external dimension states that, when a SFPA has been signed, no EU vessel can operate outside the framework of this agreement, even if the agreement is dormant. Article 31 of the CFP also states that SFPAs must be of mutual benefit to both the EU and the third party concerned, including its local population and fishing industry.

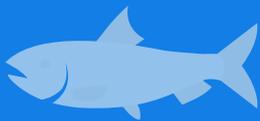
The total dietary protein needs met from fishery activities in many partner countries can be as high as 60% (e.g. in West Africa and island States). Up to 40% of the seafood production that enters international markets from SFPA partner countries is worth more than €115 billion per year. SFPAs therefore have a significant bearing on regional and global food security, economic growth and environmental and social resilience of the partner countries.

The EU must make greater efforts to collaborate with major intergovernmental organisations on projects aiming to secure livelihoods of fisheries workers and national food security in partner countries that are part of SFPAs or private agreements with EU vessels such as:

- the World Trade Organisation for trade data collection and trade sanctions;
- the World Health Organisation to collect data on the livelihoods of fisheries workers and their relation to health and nutrition in partner countries with which the EU interacts;
- the United Nations to help the EU systematically measure their progress towards each of the SDGs; and
- the Organisation for Economic Cooperation and Development (OECD)

## CASE STUDY: SFPA WEST AND CENTRAL AFRICA

The use of SFPAs certainly indicates Europe's determination to lead in international fisheries governance but in reality their equity and enforcement has been questionable.<sup>32</sup> This is highlighted by numerous cases of IUU fishing by EU vessels as well as the numerous complaints from SFPA partner countries related to the decline in local stocks caused by the heavy offshore fishing of EU and other foreign vessels as highlighted in the case studies below.



**IN WEST AND CENTRAL AFRICA APPROXIMATELY 400 MILLION PEOPLE RELY ON MARINE FISHERIES FOR THEIR FOOD SECURITY AND LIVELIHOODS**

Case studies from West and Central Africa demonstrate some of the problems associated with SFPAs as well as some of the negative impacts they have had on local communities.

In West and Central Africa approximately 400 million people rely on marine fisheries for their food security and livelihoods.<sup>33</sup> To date there have been 11 different SFPAs in the region (some of which are currently dormant) (see Annex 1). The overall effectiveness of these partnerships has been under much scrutiny and is somewhat debatable in many cases.<sup>34</sup> Much of this debate revolves around the fact that an estimated 1 in 4 fish in West Africa's waters is caught illegally.<sup>35</sup>

This illegal fishing is carried out by a number of different parties including EU fishing vessels who are breaking the rules of their SFPAs, other distant water fleets reflagging vessels and working under private agreements and local fishers breaking national fishing regulations. In general, large declines in West African fish stocks are blamed on an increased presence of foreign vessels fishing offshore, local fisheries legislation not promoting sustainable practices (for example selling more fishing licenses than stocks can support) and poor capacity building efforts and therefore questionable benefits to local communities in SFPA partner countries. The presence of these vessels is estimated to cost the West African economy approximately \$USD 2.3 billion per year.<sup>36</sup> Overexploitation by foreign (including EU) vessels fishing in West African SFPA country waters is highlighted by the following examples.



## CASE STUDY: SENEGAL

The amount of fish caught between 1994 and 2005 following the signing of a number of EU fisheries agreements with Senegal fell from 95 to 45 thousand tonnes<sup>37</sup> due to overexploitation of the local stocks. A decline that has had severe consequences for locally owned vessels, the number of which dropped by 48% between 1998 and 2008.<sup>38</sup> The agreement with the EU was cancelled in 2006 after Senegal asked for more money to compensate for the perceived overexploitation of demersal coastal stocks by EU trawlers.

More recently, the number of small-scale (artisanal pirogue boats) vessel numbers have increased from approximately by 5,000 in the last 5 years (information can be found in the sectoral review from the Senegalese Fisheries Ministry document is not publicly available) because of newcomers joining the fleet and not because the resources have recovered since the cancellation of the agreement, basically the fleet is over capacity compared with the depleted state of the fish stocks. Stock recovery is unlikely due to the reflagging of many EU vessels (trawlers) to Senegal, thus bypassing the need for the SFPAs and continuing or perhaps worsening the exploitation of the country's resources.<sup>39</sup>

## CASE STUDY: MAURITANIA

The increased capture of fish species for fishmeal (that have traditionally only been targeted for human consumption) is now prevalent off the coast of Mauritania. This has resulted in an alarming five-fold increase in landings between 2011 and 2014 primarily from non-EU fishing vessel activity (Senegalese canoes working under charter for the Mauritanian fishmeal factories).<sup>40</sup> Not only has this rate of exploitation impacted the ecological integrity of Mauritania's coastal seas and threatened the survival of many sensitive species, but it has also impacted neighbouring countries that share their regional stocks<sup>41</sup> which has an impact on the stocks targeted by EU vessels under SFPAs.

The situation remains difficult to manage due to the shared nature of the stocks and the inconsistent data collection related to the fisheries landings and annual stock assessments in the region<sup>42</sup> and to the environmental impact of EU's fishing activities.

Of the EU nations fishing off the west coast of Africa under SFPAs, Spain and France have the largest distant water fleets. They also share a mixed history of success and failure when it comes to good fishing practices and following the rules set out in the EU's SFPAs.



## DATA COLLECTION FOR SFPAs

The EU, vessel operators and partner countries all currently fall short on their reporting obligations across a wide remit of data types, including logbook catch and bycatch data, vessel registration information (with many new vessel registrations having gone unreported), labour conditions such as crew and wage data, and official reporting on how EU funds were used for sectoral support in partner countries.

Data that has been successfully collected has often been poorly transmitted and has often not been made publicly available. The lack of transparency, both at the negotiation and implementation level of SFPAs, hampers the ability for both parties to base their decisions on scientific facts. It also perpetuates the exclusion of a wide-range of fisheries stakeholders from management evaluations and negotiations, which weakens the SFPAs legitimacy and amplifies tensions between EU vessels and non-EU country partners. Many third country partners have argued that traditional access rights to their fisheries are being violated by EU fishing activities.<sup>43</sup> Collaboration between fisheries managers has been made more difficult due to a lack of public information which, in the long term, often leads to less efficient management of resources as common goals are not identified.

EU funding to support fisheries sectors in partner countries as part of fishery agreements has also been misspent on a number of occasions, namely on running costs of fishery operations. This type of short-sighted expenditure lacks a clear vision for future sustainable development of fisheries. The lack of financial infrastructure in partner countries has been tied to the inability of some partner countries to absorb the totality of funding, leading to some of the reported misspending.



## WWF RECOMMENDATIONS

A standardised system of data collection and presentation for all SFPAs and joint ventures, containing contact information for key personnel, is necessary to fully understand the agreements; this includes knowing who is responsible (vessels, fisheries agencies, managers, policy makers) for monitoring and delivering all aspects of these agreements accurately to evaluate, EU Member States in general.

More clearly defined stock information for exploited species is needed to provide accurate estimates of stock “surplus” and to allow for fishing at Maximum Sustainable Yield (MSY) to be properly evaluated. Where practices show overfishing or underreporting by EU vessels, there must be appropriate financial sanctions in place to compensate the partner countries.

When developing or renewing an SFPA, the EU must request that the third countries provide information on all other Distant Water Fishing Nations fishing within their EEZ in order to determine the fishing effort and the status of fish stocks in the area.

Trade rules should oblige non-EU nations who trade with the EU to provide access to key data and information that will support evaluation of best practices for the EU and the partner countries of SFPAs.

The EU must require Member States to report to the EC on private agreements, the Member States must also be empowered to sanction their vessels that do not comply with this requirement.

# THE CFP'S EXTERNAL DIMENSION RELATIONSHIP WITH THE SUSTAINABLE DEVELOPMENT GOALS (SDGs)



On 1 January 2016, the United Nations' 2030 Agenda for Sustainable Development entered into effect. The Agenda is built around a global sustainable development framework of 17 Sustainable Development Goals (SDGs), which are broken down into 169 sub-targets.<sup>44</sup>

232 unique indicators provide a framework for monitoring and evaluating progress on these targets.<sup>45</sup> Upon adoption, the UN described this Agenda 2030 as 'a historic decision on a comprehensive, far-reaching and people-centred set of universal and transformative goals and targets'. While the EU has long placed importance on sustainable development, it believes the 2030 Agenda, "reflects for the first time an international consensus that peace, security, justice for all, and social inclusion are not only to be pursued on their own but that they reinforce each other...[providing] qualitative and quantitative objectives for the next 15 years to prepare ourselves for the future and work towards human dignity, stability, a healthy planet, fair and resilient societies and prosperous economies".<sup>46</sup>

The 17 SDGs are presented opposite in Figure 2:



FIGURE 2. THE 17 SUSTAINABLE DEVELOPMENT GOALS (SDGs)

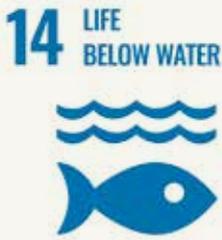


Source: UNESCO

By setting out a framework expanding on the scope of the UN Millennium Development Goals (especially in terms of environmental targets), to which all 193 UN Countries agreed, the SDGs have, catalysed action, successfully mobilised the international community while fostering greater collaboration in pursuit of global sustainability.<sup>47</sup> What the SDGs represent is a vision of what ‘global sustainability’ could resemble. In doing so, it offers a useful reference frame in which the sustainable development aspects of policy, such as the CFP’s external dimension, can be assessed. The EU regularly monitors its broad progress against the SDGs, without specifying how particular policies contribute.<sup>48</sup>

While Agenda 2030 presents the 17 SDGs as distinct entities, they do not exist in isolation. Given the complexity and interconnectivity that underpins socio-ecological systems, any effective approaches seeking to address sustainable development must understand the linkages between all relevant facets. Ultimately, each SDG is connected with every other one to some extent, with benefits and trade-offs existing between them to some degree: achieving one target might either enhance the likelihood of achieving another target or indeed hinder it.<sup>49</sup> Whilst acknowledging the interlinkages between all SDGs, assessing a particular policy against the full spectrum of goals and targets is impractical and not necessarily justifiable. Given this consideration, when assessing policy against the SDGs, it is beneficial to outline those SDGs that are most central to the policy in question.





## CFP's EXTERNAL DIMENSION AND SDG 14

Following this assertion, the following section outlines some of the key SDGs against which to assess the CFP’s external dimension, based around the most centrally relevant goal: SDG 14 “life below water”.

**Table 1: SDG 14 targets supported by CFP and its external dimension**

14.2 By 2020, sustainably manage and protect marine and coastal ecosystems to avoid significant adverse impacts, including by strengthening their resilience, and take action for their restoration in order to achieve healthy and productive oceans

14.4 By 2020, effectively regulate harvesting and end overfishing, illegal, unreported and unregulated fishing and destructive fishing practices and implement science-based management plans, in order to restore fish stocks in the shortest time feasible, at least to levels that can produce maximum sustainable yield as determined by their biological characteristics

14.5 By 2020, conserve at least 10 per cent of coastal and marine areas, consistent with national and international law and based on the best available scientific information

14.6 By 2020, prohibit certain forms of fisheries subsidies which contribute to overcapacity and overfishing, eliminate subsidies that contribute to illegal, unreported and unregulated fishing and refrain from introducing new such subsidies, recognizing that appropriate and effective special and differential treatment for developing and least developed countries should be an integral part of the World Trade Organization fisheries subsidies negotiation

14.7 By 2030, increase the economic benefits to small island developing States and least developed countries from the sustainable use of marine resources, including through sustainable management of fisheries, aquaculture and tourism

14.a Increase scientific knowledge, develop research capacity and transfer marine technology, taking into account the Intergovernmental Oceanographic Commission Criteria and Guidelines on the Transfer of Marine Technology, in order to improve ocean health and to enhance the contribution of marine biodiversity to the development of developing countries, in particular small island developing States and least developed countries

14.b Provide access for small-scale artisanal fishers to marine resources and markets

14.c Enhance the conservation and sustainable use of oceans and their resources by implementing international law as reflected in the United Nations Convention on the Law of the Sea, which provides the legal framework for the conservation and sustainable use of oceans and their resources, as recalled in paragraph 158 of “The future we want”

## CFP's EXTERNAL DIMENSION AND LINKS TO OTHER SDGs

Interlinkages exist between SDGs and numerous studies have examined these connections. <sup>(See 47),50,51</sup> SDG 14 specific work includes a rapid assessment of co-benefits and trade-offs undertaken by Singh et al.<sup>52</sup> They found 38% of relationships between SDG targets 'require ocean sustainability to be achieved', and in particular, SDG 1 (Ending Poverty) and SDG 2 (Ending Hunger). Specific SDG 14 targets cited as having the most connections to other SDGs are 14.4 and 14.7, the two SDG 14 targets most closely aligned with CFP external dimension. This is due to fisheries and benefit-sharing to develop 'sustainable marine use targets' being less focused solely on biophysical attributes than other targets, like 14.1 and 14.3. In principle the CFP's external dimension should align with SDG 14 targets that have a wider social and economic scope, which is indicative of its ambitions to achieve sustainable development.

Previous studies point to connections between SDG 14 and other goals. One preliminary exploration of SDG 14 connections with other goals argues the most important connections relate to SDGs 1 (No Poverty), 2 (Zero Hunger), 3 (Good Health and Well-being), 8 (Decent Work and Economic Growth), 9 (Industry, Innovation and Infrastructure), 12 (Responsible Consumption and Production), 13 (Climate Action), 15 (Life on Land) and 16 (Peace, Justice and Strong Institutions).<sup>53</sup> Similarly, another study<sup>54</sup> emphasises the importance of achieving the targets set out in SDG 14 in achieving SDG 1 (No Poverty), SDG 2 (Zero Hunger), SDG 3 (Good Health and Well-being), SDG 4 (Quality Education) and SDG 8 (Decent Work and Economic Growth). What these studies highlight is the importance in understanding that while some connections between SDGs are more evident than others, the extent of relationships between SDG goals, targets and means of implementation are not an exact science and are ultimately subjective. Here, SDG 14 is used to highlight the interrelationship between the CFP's external dimension given the similarity of the goal with its aims.

Table 1 (page 28) presents SDG 14 targets and their relevance to CFP external dimensions as outlined by the European Commission's 'EU policies and actions' website. It is also interesting to observe other SDG targets they cite as supported by the CFP and its external dimension.<sup>55</sup> As Table 2 (page 30) shows, despite the CFP's wide-ranging sustainable development goals, they cite a limited number of targets supported by CFP: for SDG 2 (Zero Hunger) and SDG 12 (Responsible Consumption and Production), with no targets outside SDG 14 cited as supported by the CFP's external dimension. Perhaps most surprising is the omission for SDG 8 (Decent Work and Economic Growth) given the aims of SFPAs to encourage local economic growth.<sup>56</sup> Indeed, to explore how the CFP and its external dimension contribute to wider SDGs beyond SDG 14 is the motivation behind the research undertaken for this report.

**Table 2: SDG targets (excluding SDG 14) supported by the CFP according to the European Commission's 'EU Policies and Actions' website**

Goal 2. End hunger, achieve food security and improved nutrition and promote sustainable agriculture

2.3 By 2030, double the agricultural productivity and incomes of small-scale food producers, in particular women, indigenous peoples, family farmers, pastoralists and fishers, including through secure and equal access to land, other productive resources and inputs, knowledge, financial services, markets and opportunities for value addition and non-farm employment

2.4 By 2030, ensure sustainable food production systems and implement resilient agricultural practices that increase productivity and production, that help maintain ecosystems, that strengthen capacity for adaptation to climate change, extreme weather, drought, flooding and other disasters and that progressively improve land and soil quality

2.b Correct and prevent trade restrictions and distortions in world agricultural markets, including through the parallel elimination of all forms of agricultural export subsidies and all export measures with equivalent effect, in accordance with the mandate of the Doha Development Round

2.c Adopt measures to ensure the proper functioning of food commodity markets and their derivatives and facilitate timely access to market information, including on food reserves, in order to help limit extreme food price volatility

Goal 12. Ensure sustainable consumption and production patterns

12.3 By 2030, halve per capita global food waste at the retail and consumer levels and reduce food losses along production and supply chains, including post-harvest losses

12.5 By 2030, substantially reduce waste generation through prevention, reduction, recycling and reuse

A comprehensive overview of each SDG and its association with the CFP's external dimensions are beyond the scope of this report. However, in their 'EU Policies and Actions' website, the EU provides some examples of how the SDGs relate to the CFP's external dimension:

1 NO POVERTY



8 DECENT WORK AND ECONOMIC GROWTH



## SDG 1: No Poverty and SDG 8: Decent Work and Economic Growth

The EU highlights how the SFPAs contribute towards job creation through facilitating sustainable and more productive fisheries, encourage private-public investments and ‘help fight poverty in partner countries’.<sup>(See 54)</sup> This directly contributes towards SDGs 1 and 8, on targets such as 1.1 (By 2030, eradicate extreme poverty for all people everywhere, currently measured as people living on less than \$1.25 a day) and 1.4 (By 2030, ensure that all men and women, in particular the poor and the vulnerable, have equal rights to economic resources, as well as access to basic services, ownership and control over land and other forms of property, inheritance, natural resources, appropriate new technology and financial services, including microfinance) and 8.3 (Promote development-oriented policies that support productive activities, decent job creation, entrepreneurship, creativity and innovation, and encourage the formalization and growth of micro-, small- and medium-sized enterprises, including through access to financial services).

2 ZERO HUNGER



## SDG2: Zero Hunger

Food security is an important component of the SFPAs, ‘the sustainable management of seafood resources that enhances food security’.<sup>57</sup> As mentioned in the previous section, the marine sustainability encouraged by SDG 14 is highly relevant to alleviating hunger and providing food security related to target 2.3 (By 2030, double the agricultural productivity and incomes of small-scale food producers, in particular women, indigenous peoples, family farmers, pastoralists and fishers, including through secure and equal access to land, other productive resources and inputs, knowledge, financial services, markets and opportunities for value addition and non-farm employment).

5 GENDER EQUALITY



## SDG5: Gender Equality

Millions of women are involved within the fishery value chains, often working in positions where they are marginalised.<sup>58,59</sup> This makes gender issues an important aspect of the CFP’s external dimension. This is outlined in point 39 of the European Parliament’s resolution on common rules in respect of application of the external dimension of the CFP,<sup>60</sup> where it states the, ‘[importance] of involving women throughout the value chain, from financing through to the processing and/or marketing of fish products...promoting women’s access to these activities would reinforce their economic and social empowerment, thereby playing an important role in closing gender gaps’. This specifically relates to target 5.1 (End all forms of discrimination against all women and girls everywhere) and 5.a (Undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws). Not only is gender equality important in of itself, research suggest empowering women in local resource decision-making can lead to better governance and conservation of resources.<sup>61</sup>

**16** PEACE, JUSTICE  
AND STRONG  
INSTITUTIONS



**17** PARTNERSHIPS  
FOR THE GOALS



## **SDG 16: Peace, justice and strong institutions and SDG 17: Partnerships to achieve the goal**

The aims of the CFP are strongly linked to the ‘governance’ components of the SDG framework, SDG 16 and 17. The insertion of a human-rights clause in the agreements, as stated in the European Commission Communication on External Dimension of the Common Fisheries Policy<sup>62</sup> align with target 16.10 (Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements). The SFPAs’ focus on transparency, capacity building and partnerships directly align with targets 16.6 (Develop effective, accountable and transparent institutions at all levels), 17.9 (Enhance international support for implementing effective and targeted capacity-building in developing countries to support national plans to implement all the Sustainable Development Goals, including through North-South, South-South and triangular cooperation) and 17.16 (Enhance the Global Partnership for Sustainable Development, complemented by multi-stakeholder partnerships that mobilize and share knowledge, expertise, technology and financial resources, to support the achievement of the Sustainable Development Goals in all countries, in particular developing countries).

Promoting the rule of law with the fishing industry at national and international levels (SDG target 16.3) must come from both the EU and from the SFPA member countries if corrupt practices, such as forging licences and fisheries agreements, are to be overcome.

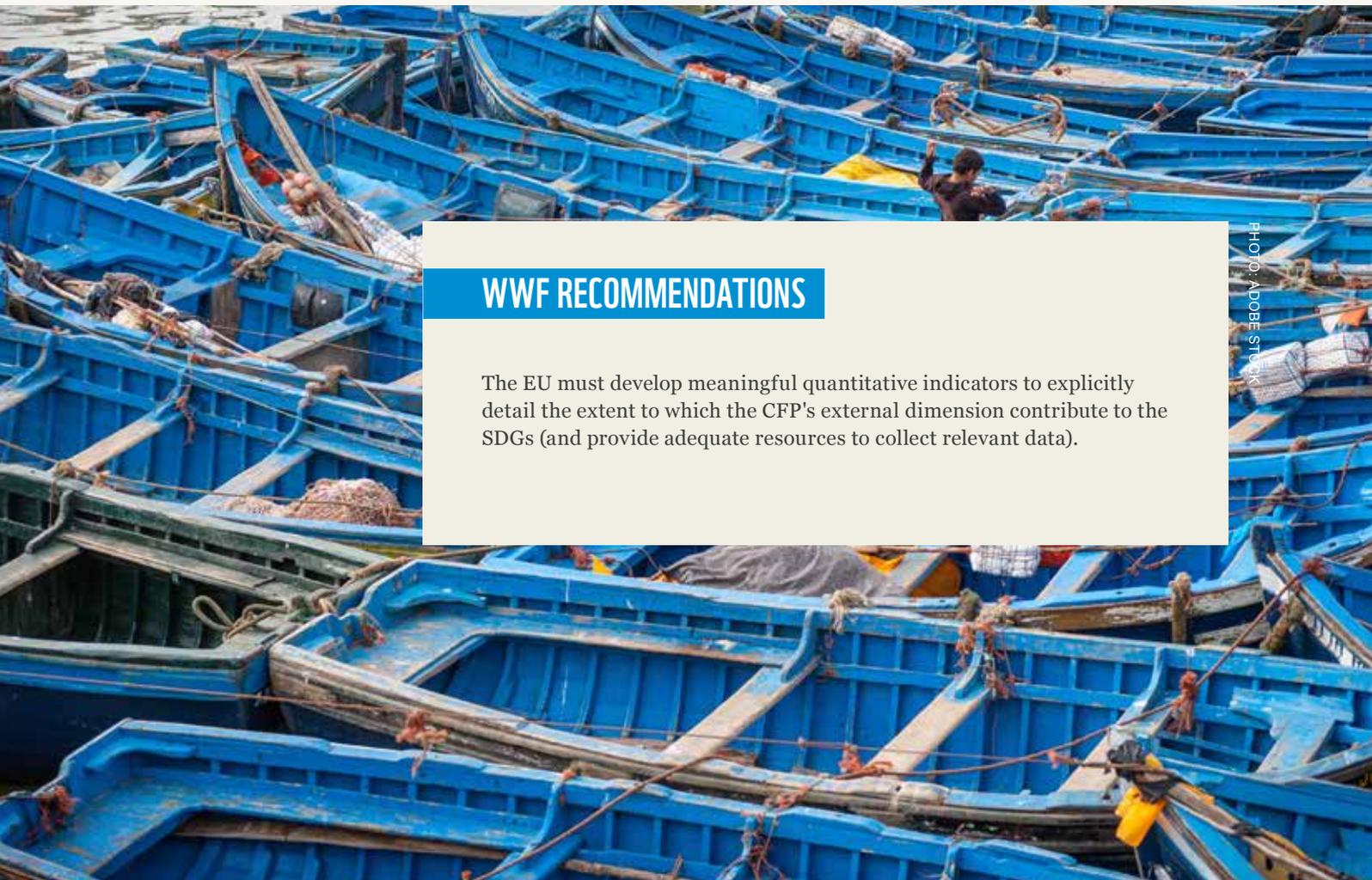


PHOTO: ADOBE STOCK

**WWF RECOMMENDATIONS**

The EU must develop meaningful quantitative indicators to explicitly detail the extent to which the CFP's external dimension contribute to the SDGs (and provide adequate resources to collect relevant data).

# SPANISH AND FRENCH FISHING ACTIVITIES OUTSIDE EU WATERS AND THEIR RELATIONSHIP TO THE SDGs

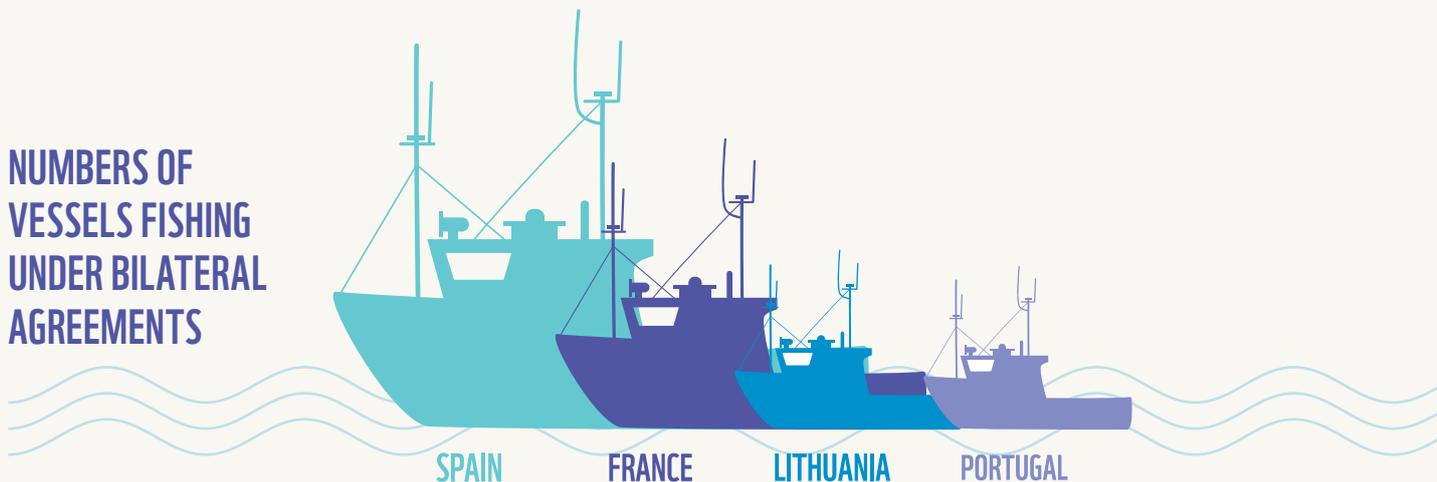
Between 2008 and 2015, Spain had the highest number of vessels fishing under bilateral agreements followed by France, Italy, Lithuania and Portugal.<sup>63</sup>

Spanish and French vessels are particularly active in non-EU waters under private tuna agreements<sup>64</sup> (see Annex 1), many of these vessels operate in and from their outermost regions (ORs) (Canary Islands (Spain), and French Guinea, Guadeloupe, Martinique, Mayotte, Reunion, and St Martin (France)).<sup>65</sup>

The extensive fishing activity of Spain and France is mirrored and driven by the seafood consumption in each of these countries which accounts for €10.7 billion and €8.9 billion in annual expenditure respectively,<sup>66</sup> among the highest in the EU. In line with such high external fishing activity, Spain and France<sup>67</sup> received the highest amount of funding from the European Maritime and Fisheries Fund (EMFF) for the period 2014-2020, (€1.6 billion<sup>68</sup> and €588 million respectively<sup>69</sup>). It is, however, noteworthy that with current EU documentation it is difficult to ascertain how much of this funding relates specifically to the external fleet activities of each country.

The SDGs provide a useful framework to evaluate the activities of EU Member States in relation to the CFPs external dimension, the partner countries within whose waters they fish and the SFPAs to which they are party. As mentioned previously, Spain and France have the highest number of vessels fishing in foreign waters. Below are a number of good and bad examples of Spain and France's involvement in SFPAs in West Africa and their contribution or violations of the CFPs goals are directly related to the UN's SDGs.

## NUMBERS OF VESSELS FISHING UNDER BILATERAL AGREEMENTS



# SPAIN

## EXAMPLES OF GOOD PRACTICE AND AREAS FOR IMPROVEMENT

### Examples of good practice:

**SDG 5 – Gender Equality:** Spain has continually promoted the role of women in the fishing industry and recently proved its political commitment at taking gender equality in the fisheries sector seriously. In late 2018, the Spanish Ministry of Agriculture, Fisheries and Food formed a congress<sup>70</sup> to discuss the subject in detail and launched the 11 point<sup>71</sup> Santiago de Compostela Declaration for Equal Opportunities in the Fisheries and Aquaculture sectors calling upon participants at the congress to sign.<sup>72</sup> Although the congress itself is not directly related to Spain's involvement in SFPAs it likely has important implications for both women in the fishing industry in Europe and those living and working in SFPAs partner countries. This is particularly pertinent when considering the loss of livelihoods that can occur if fish are landed in different ports following the signing of SFPAs and fishing activity from EU vessels that reduces activity in traditionally local ports. A follow up to the 2018 Santiago de Compostela Declaration meeting will take place in late 2019 in Morocco.

**SDG 16 – Peace, Justice & Strong Institutions:** Following the withdrawal of Spanish purse seiners from Liberia after private fishing licenses were forged by a Liberian fishing company in 2010, Spain established a system whereby licenses issued to vessels under private agreements are subjected to control and validation through diplomatic channels. In addition, license payments are now made directly to the public treasury of the countries licensing the fishing activities.

**SDG 16:** The EU's fight against illegal fishing is largely headed by Spain, which has been highlighted by the punitive actions undertaken by the Ministry of Agriculture and Fisheries, Food and Environment (MAPAMA, now known as MAPA) in operation Sparrow I and II<sup>73</sup> culminating in 2015. This resulted in the imposition of fines to vessel owners higher than any that have previously been imposed at EU level<sup>74</sup> (€17.4 million). Spain has also issued license withdrawals, poaching fines and refunds of EMFF money from boat owners, penalties that are not issued by other EU Member States.



## Areas for improvement:

**SDG 14 – Life Below Water:** Spain has been an active participant in the use and implementation of Fish Aggregation Devices (FADs) off the coasts of Africa,<sup>75</sup> largely when targeting tuna species, something which is also prevalent in Indian Ocean fisheries. The sustainability of FAD use, however, is somewhat questionable based on the large amount of bycatch of sharks, sea turtles, seabirds (when pulling back the purse seiner’s net) and the capture of juvenile tuna. Like target species, these bycatch species are attracted to the floating gear but become entangled inadvertently or are netted by purse seine fishers that indiscriminately net everything surrounding the FADs.<sup>76</sup> Recommendations for the use of FADs presented in numerous RFMO documents has therefore been questioned by scientists suggesting that insufficient science exists to make confident recommendations as to appropriate numbers of FADs as well as more sustainable FADs to use, conceived to reduce the amount of bycatch of sensitive species. The use of FADs most commonly occurs off the coast of Small Island Developing States (SIDS) by foreign fishing vessels, often from more developed nations.

**SDG 16 – Peace, Justice & Strong Institutions:** By awarding private fishing authorisations to eight Spanish vessels requesting access to The Gambia and one to Equatorial Guinea, Spain violated CFP laws between 2012 and 2015 because the SFPAs with these countries were dormant during that time.<sup>77</sup> Such activity is not in line with promoting the rule of law (SDG target 16.3). If future increases in transparency (SDG target 16.6) and strengthened participation of developing countries in governance (SDG target 16.8) are achieved, such activity will likely not be possible as it will be monitored closely and the information made available to more than just the vessels and the SFPA countries participating in such illegal activities.



# FRANCE

## EXAMPLES OF GOOD PRACTICE AND AREAS FOR IMPROVEMENT

### Examples of good practice:

**SDG 3  
Good Health  
& Well-being:**

Along with the UK, Lithuania and Estonia, France is the only other EU country to have ratified the International Labour Organisation's Work in Fishing Convention. The latter requires EU vessels to employ local or ACP (African, Caribbean and Pacific group of states) fishing crew (also a requirement under the SFPAs) and stipulates minimum requirements for work on board, conditions of service, health and safety onboard vessels, medical care (SDG target 3.3) and social security benefits. Both France and Spain have also ratified the Cape Town Agreement, which calls for harmonised fisheries, labour and safety inspections which are all significant issues in SFPAs and the fishing activities of EU vessels in non-EU waters.

**SDG 8 & 16  
Decent Work &  
Economic Growth /  
Peace, Justice & Strong  
Institutions:**

Spain and France serve on the partnership panel for Global Financial Transparency Coalition<sup>78</sup> (along with Belgium, Denmark, Finland, Germany and Greece), which works to curtail illicit financial flows (and therefore IUU) through the promotion of a transparent, accountable, and sustainable financial system. This overlaps with many of the goals in SDG 8, but particularly with sustained per capita growth (SDG target 8.1), measures to eradicate forced labour, modern slavery and human trafficking (SDG target 8.7) and the promotion of safe and secure working environments for all workers (SDG target 8.8). The reduction of illicit financial flows (SDG 16.4) and improvements in regulation and monitoring (SDG target 10.5) in the fishing sector will, however, only be possible if transparency in the fisheries sector improves along with more thorough data collection, particularly for many of the SFPAs partner countries.



## Areas for improvement:

### **SDG 16 & 17 – Peace, Justice & Strong Institutions / Partnerships for the Goals:**

Four consecutive rulings of the EU Court of Justice against the EU signing an SFPAs with Morocco that also grants fishery access to the non-autonomous territory of Western Sahara were overturned by the EU Parliament in early 2019.<sup>79</sup> The SFPAs were primarily contested on the grounds that it was against human rights and illegal fishing because the people of the Western Sahara region had repeatedly opposed the deal with 98 Saharawi organisations writing to Members of the European Parliament (MEPs) asking them to reject it.<sup>80</sup> This works against SDG targets 16.6 and 16.7, which aim to develop effective, accountable and transparent institutions and to ensure responsive, inclusive, participatory and representative decision-making at all levels. The charge to push the SFPAs signing was led by a French Member of European Parliament (MEP) who believed no deal would mean a “risk of interrupting fishing opportunities”. A Spanish MEP was against the SFPAs signing but failed in their attempts to request a legal review of the SFPAs to evaluate if it was compatible with the EU’s treaty obligations with respect to international law.<sup>81</sup> The inability to initiate an official legal review disrespects the Western Sahara’s policy space and leadership targets, which are highlighted within SDG 17.15.

### **SDG 16 – Peace, Justice & Strong Institutions:**

In 2012, forged private agreements provided by a Liberian government representative were signed by the French and Spanish tuna purse seine fleets working in the waters off Liberia. The legal action that was taken against these vessels did, however, demonstrate a pan-African solidarity to stop illegal fishing through the FISH-i Africa initiative.<sup>82</sup> Such multinational movements to fight corruption are in line with SDG targets 16.5 and 16.6 that aim to substantially reduce corruption and bribery, and develop effective, accountable and transparent institutions.



A photograph of a fishing boat on the water, with many seagulls flying around it. The boat is white with a yellow stripe and has a large net on the deck. The sky is blue with some clouds. The water is choppy. The boat is moving towards the right. The seagulls are flying in all directions. The overall scene is a busy fishing operation.

## WWF RECOMMENDATIONS

The EU must develop meaningful quantitative indicators to explicitly detail the extent to which the CFP's external dimension contribute to the SDGs (and provide adequate resources to collect relevant data).

SFPAs will need to consider the whole fisheries supply chain, in which 59% of jobs are undertaken by women, <sup>(see 2)</sup> to evaluate levels of full and effective participation of women and equal opportunities for leadership (SDG target 5.5).

A precautionary approach for management of Fish Aggregation Devices (FADs) in both SFPAs and RFMOs needs to be taken until more is known about their impact on non-target species to ensure SDG target 14.4 (the effective regulation of fishing, an end to overfishing and destructive fishing practices) can be attained.

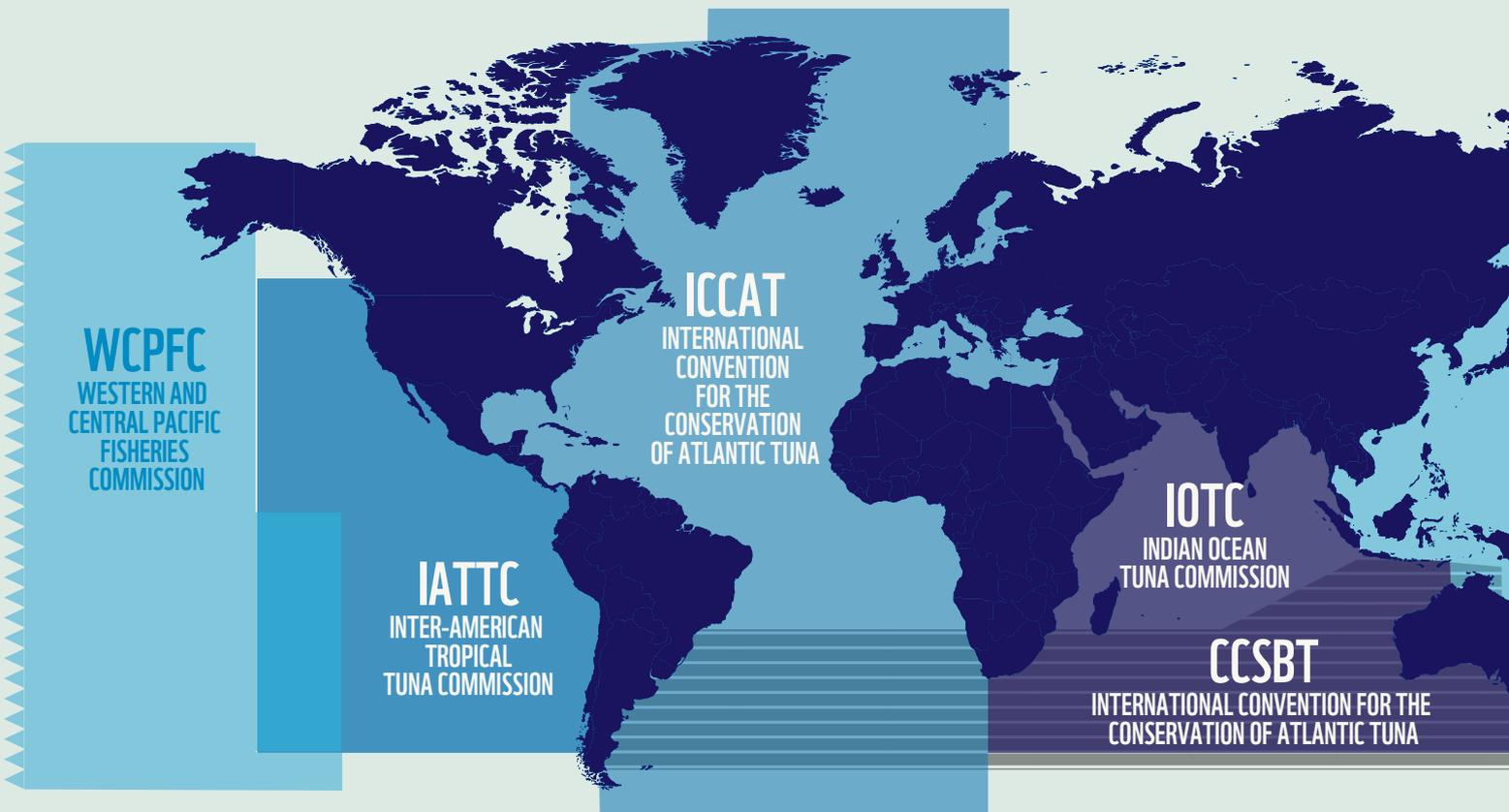
SFPAs signed between Small Island Developing States (SIDS) and EU vessels need to be carefully evaluated to ensure the EU is effectively implementing SDG target 14.7 (increasing economic benefits to SIDS and least developed countries).



# THE EU'S CONTRIBUTION TO THE SDGs THROUGH THE RFMOs

**Figure 2.**

World Map displaying the distribution and coverage of tuna RFMOs, the Indian Ocean Tuna Commission (IOTC), Commission for the Conservation of Southern Bluefin Tuna (CCSBT), Western and Central Pacific Fisheries Commission (WCPFC), Inter-American Tropical Tuna Commission (IATTC) and International Commission for the Conservation of Atlantic Tunas (ICCAT) Regional Fishery Management Organisations (RFMOs).

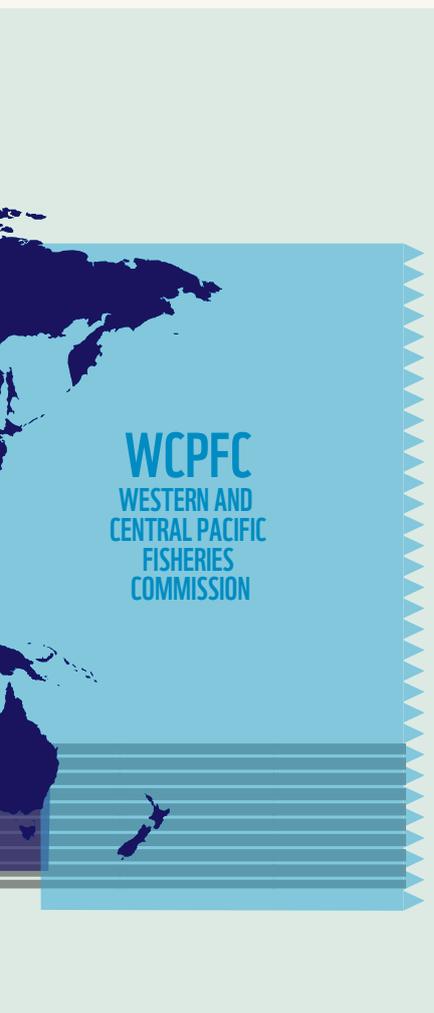


RFMOs are international organisations comprised of member countries with an interest in sustainably managing fish stocks in a particular geographical area. They possess a mandate to adopt binding measures on their members.<sup>83</sup> There are approximately 17 RFMOs currently in existence that range in member size, geographical area and species focus. RFMOs are focused around establishing conservation and management measures (CMMs) of fishery resources in the area covered by the RFMO. CMMs are achieved through negotiation and cooperation of member states and take the form of voluntary international agreements or treaties on issues related to catch limits, technical aspects, data monitoring and compliance.<sup>84</sup> By their very nature, RFMOs have the potential to contribute to certain SDGs: SDG 14 (Life Below Water), SDG 16 (Peace, justice and strong institutions) and SDG 17 (Partnerships to achieve the goals). In principle, the CMMs developed by RFMOs seek to regulate harvesting, end overfishing and achieve maximum sustainable yield (MSY) targets based on the best available science, as set out in SDG target 14.4. However, in reality many RFMOs continue to sanction overfishing despite scientific evidence for sustainable harvesting of targeted stocks. The EU must explicitly influence RFMOs rules to ensure the implementation of SDG goals beyond SDG 14. Efforts should not be limited to annual RFMO meetings, but continue throughout the year through trust-building, collaboration and support to ensure compliance of RFMO rules.

Improving compliance, monitoring and transparency of international fisheries has become increasingly central in the work of RFMOs,<sup>85</sup> resonating with SDG target 16.6 (the development of effective, accountable and transparent institutions at all levels). Furthermore, in allocating membership by all those with a relevant stake in management of the fish stock (e.g. geographical, historical involvement), by default RFMOs broaden and strengthen the participation of developing countries in the institutions of global governance (SDG target 16.8). The partnership focus of SDG 17 is evident in cooperative principles of the RFMOs. The type of cooperation between developed and developing countries found in RFMOs relates specifically to targets 17.7 (the development, transfer, dissemination and diffusion of environmentally sound technologies) and 17.9 (the enhancement of international support for capacity-building in developing countries).

The EU plays an active role, through the European Commission, in the RFMOs: six tuna and 11 non-tuna organisations.<sup>86</sup> This is indicative of the extent the EU's fishing fleets span the globe and highlights how the EU can be a key player within international fisheries policy. Indeed, the EU's reputation as a promoter of sustainability principles is both heralded and contested.<sup>87</sup> Trying to measure the extent the EU contributes to the SDGs through its involvement in RFMOs presents a challenge, as it is ultimately one member amongst many, with RFMO decisions made on a consensus or majority voting basis. However, it is possible to get a sense of the direction members within RFMO policy are pushing by observing their proposals for adoption for new CMMs and amendments of existing CMMs.

The influence of RFMO members can be qualitatively measured by the number of proposals adopted at RFMO annual sessions, as WWF has undertaken in a previous study.<sup>88</sup> Two illustrative examples of the ways in which the EU is engaging with the SDG agenda through its activity in RFMOs are: 1) The EU's involvement in the International Commission for the Conservation of Atlantic Tunas (ICCAT) and 2) the Southern Indian Ocean Fisheries Agreement (SIOFA). Case studies are presented on the following pages where a closer look is taken at some of the general themes and challenges associated with the EU's drive towards sustainable development through its involvement in RFMOs.



## CASE STUDY: INTERNATIONAL COMMISSION FOR THE CONSERVATION OF ATLANTIC TUNA (ICCAT)

Established in 1966, managing tuna fisheries in the Atlantic Ocean and adjacent seas and consisting of 53 Contracting Parties,<sup>89</sup> ICCAT is one of the oldest and largest RFMOs (both in terms of membership and geographical area).<sup>90</sup> The EU joined ICCAT in 1997 after intergovernmental organisations were permitted membership and the EU is now one of the organisations most powerful members in terms of catches and market size.<sup>91</sup> During the late-2000s, ICCAT's reputation was heavily tainted by its ineffectiveness to sustainably manage its tuna stocks, most significantly the eastern Atlantic and Mediterranean bluefin tuna (*Thunnus thynnus*) stock, where it ignored ICCAT scientists' advice on catch limits in 2008 (setting a 22,000 tonnes quota limit compared to the recommended 8,500-15,000 tonnes), contributing to the near-collapse of the stock.<sup>92</sup> Since then, after a rigorous recovery plan that saw the bluefin tuna stock make a drastic recovery,<sup>93,94</sup> ICCAT's reputation as an organisation capable of effectively managing tuna stocks has improved.

More recently, there are various examples of the EU pushing for more sustainable practices, primarily in the policy areas RFMOs traditionally address around overfishing, catch-allowances and improved monitoring (all of which relate to SDG 14.4). For example, in November 2017, the EU was influential in proposing the adoption of Harvest Control Rules (HCRs) in relation to Northern albacore (*Thunnus alalunga*) tuna stocks. Since then, there have been further discussions on adopting HCRs for Atlantic Bluefin tuna.<sup>95</sup> HCRs represent a science-based approach offering more benefits than traditional approaches involving the process of stock assessments and then a negotiation of limits/quotas. By having agreed management rules in place that react to stock status indicators, efficiency and transparency within the management of the fishery is greatly enhanced.<sup>96</sup> By explicitly tying policy to rules-based management, there is greater potential for decisions around issues like Total Allowable Catches (TACs) to become removed from short term political pressures.<sup>97</sup> Whilst there are still some issues around the implementation of HCRs, turning theory into practice, the drive to implement such measures resonates strongly with 'science-based' principles found in SDG 14.4.

Amongst ICCAT members, the EU is, arguably, positioned towards the progressive end of the conservation agenda, although this is not always clear-cut, and opinions on what constitutes sustainability can often differ. One example of the EU pushing stronger conservation measures include its proposal at the ICCAT meeting in November 2018 to improve bluefin tuna management. This proposal was described by WWF as 'a stronger management plan, which would have included some new flexibility measures while ensuring species' recovery and increasing controls'.<sup>98</sup> This proposal was ultimately weakened by the negotiation with other ICCAT Contracting Parties (Algeria, Tunisia, Morocco and Turkey) causing the final agreement to offer considerable flexibility without sufficient control.<sup>99</sup>

The debate surrounding the long-term management plan for tropical tuna at the same 2018 meeting highlights particular sustainability challenges and differences of opinion between ICCAT members. In general, members agree that bigeye (*Thunnus obesus*) and yellowfin (*Thunnus albacares*) tuna stocks are dangerously low and overfished and that action must be taken to prevent collapse and promote recovery. However, the best course of action for these stocks could not be agreed upon by members, despite three proposals seeking to put forth a management plan by the EU, South Africa and Guatemala. South Africa took the lead and tried to push through a unified proposal but the EU did not endorse this, describing that ‘it did not contain sufficiently ambitious measures for the allocation of fishing opportunities and failed to address basic requirements in terms of conservation and control measures, crucial to avoid an exponential increase in fishing mortality and inadequate controls’.<sup>(see 99)</sup>

The International Pole & Line Foundation (IPNLF) offered a different perspective to that of the EU. They pointed towards South Africa as taking a leading role at the meeting, working towards a sustainable management plan for tropical tuna with the ‘[intention] to rebuild the stock in the shortest time frame possible, improve accountability and respect the rights of coastal developing states’.<sup>100</sup> As well as highlighting the differences of what constitutes the best approach to conservation, the disagreements around long-term management plans for tropical tuna also emphasise tensions between developed and developing states, as well as between industrial and artisanal fishing practices. As IPNLF put in stark terms, the failure of agreement on tropical tuna management meant ‘the contribution that small-scale artisanal tuna fisheries in many developing states make to local economies, food security and poverty alleviation lost out once again to the interests of large industrial fleets and their corporate backers who should accept some of the responsibility for the failed negotiations.’ ICCAT’s failure to move towards achieving SDGs 1, 2 and 8 (as referenced by the IPNLF) was not encouraged by the EU’s position within the organisation. Conversely, it is also possible to witness tensions in which developed country stakeholders suggested that developing countries are the primary risk to ‘sustainability’. For example, when welcoming the adoption of a new stock management plan for Bluefin tuna stock in the Eastern Atlantic and the Mediterranean at the 2018 Meeting of the Commission, Européche (Association of National Organisations of Fishing Enterprises in the European Union) noted concerns ‘that the additional flexibilities granted to developing countries will be sufficiently controlled so as not to undermine the efforts and sacrifices made of the contracting parties to ICCAT over the last decade’.<sup>101</sup> Again, this points to the complex tensions and differences of opinion associated with a unified vision of environmental, economic and social sustainable development across a diverse collection of stakeholders.

Today, ICCAT remains the only RFMO which places specific importance on protecting artisanal fishing practices which, until 2014 was a binding resolution first adopted in 2001. Reference to allocation criteria for small-scale and artisanal fishing possibilities is currently a voluntary resolution in ICCAT as of 2015.<sup>102</sup> With SDG 14.7, 14.a, 14.b, 2.3 and 12.a all placing an emphasis on supporting developing countries and encouraging the benefits of small-scale approaches, it represents a missed opportunity by the EU to use its membership within ICCAT to promote wider sustainability issues.

## CASE STUDY: RECENT ACTIVITY IN SOUTHERN INDIAN OCEAN FISHERIES AGREEMENT (SIOFA)

In comparison to ICCAT, SIOFA covers a smaller geographical area (the Southern Indian Ocean), has only nine Contracting Parties<sup>103</sup> (with one non-Contracting Party and four Signatories – Annex 4) and was formed relatively recently in 2012.<sup>104</sup> Some of the EU's outermost regions, such as the Reunion Islands, are situated close to the area covered by SIOFA. SIOFA is mandated to manage non-highly migratory, straddling species, key species including Orange roughy (*Hoplostethus atlanticus*), Dogfish (*Squalus* spp.) and Patagonian toothfish (*Dissostichus eleginoides*). SIOFA's objectives include the long-term conservation and sustainable use of fishery resources through cooperation of its members and to promote the sustainable development of fisheries while taking into account the needs of developing states bordering its mandated area that are signed up to the agreement. This has a particular focus on the least developed among them and SIDS.<sup>105</sup> As such, SIOFA's overall objectives make explicit reference to SDG 14.7 (economic benefits to Small Island Developing States and least developed countries from the sustainable use of marine resources).

The EU takes an active role in the work of the SIOFA, something noted in the Meeting of the Parties in Mauritius (June 2017) where minutes record how 'the EU was thanked for their considerable work in tabling and developing the proposed CMMs'.<sup>106</sup> Recent EU activity in SIOFA also points to various ways in which the EU is influencing a sustainable development agenda through the agreement. At the last Meeting of the Parties in Phuket, Thailand (June 2018) the EU was heavily involved with several new CMM proposals and amendments that suggested significant progress in sustainable management of fish stocks including a proposal to designate five areas within the SIOFA management area as interim protected areas.<sup>107</sup> This policy was based on advice of the SIOFA Scientific Committee that fishing with all gear types within the areas recommended for protection 'may degrade the biodiversity and scientific value of these areas' and that a precautionary approach was advised.<sup>108</sup> Critics suggest the EU's previous opposition to these protected areas and that the original proposal was for twelve areas, not five, indicate how the precautionary principle was not actually applied in this case.<sup>109</sup> Nevertheless, the outcomes of the June 2018 meeting clearly help contribute to SDG 14.4, but also, by closing the areas to trawling, contributes towards another sub-target within SDG14, SDG 14.2 (the protection of marine and coastal ecosystems to avoid significant adverse impacts and taking action for their restoration to achieve healthy and productive oceans).

Similarly, the EU's adopted proposal for specific provisions for plastics disposal on board fishing vessels represents another example of the EU's contributions towards SDG progress. The proposal sought to prohibit '[the] discharge into the sea of all plastics, including but not limited to synthetic ropes, synthetic fishing nets, plastic garbage bags and incinerator ashes from plastic products by vessels flying the flag of Contracting Parties, non-Contracting Parties (CNCPs) and Participating Fishing Entities (PFEs)...All plastics on-board shall be stored on-board the vessel until they can be discharged at adequate port reception facilities.'<sup>110</sup> In doing so, it contributes toward SDG14.1 (preventing and significantly reducing marine pollution of all kinds) and SDG 12.5 (substantially reduce waste generation through prevention, reduction, recycling and reuse).

Observing the reports and documentation around SIOFA Meeting of the Parties, there is little mention of the socioeconomic aspects of sustainable fisheries management (that relate to SDGs 1 and 8). Discussion of social, economic and cultural aspects feature in the 2018 Meeting of the Parties report in relation to the proposed protected areas and the principles to be considered in their formulation. These principles describe the importance of considering 'any social and cultural aspects or values'<sup>111</sup> when designating a protected area. While this indicates consideration of the socioeconomic aspects of sustainability, it is fairly limited in scope, something that is common amongst many RFMOs.



## RFMOs: CAPTURING SOCIO-ECONOMIC ASPECTS

Assessing the extent that RFMOs support SDGs related to the social and economic aspects of fisheries management presents a challenge. Indirectly, it is possible to envision the connections between an RFMO action and its contribution towards improved social conditions. For example, IUU fishing is sometimes associated with abusive employment conditions, child labour, and slave labour.<sup>112</sup> As such, measures that seek to tackle IUU fishing, such as the EU's amendment to the Resolution on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing in the Indian Ocean Tuna Commission (IOTC) area at the 2016 IOTC meeting, can be seen to support, to some degree, SDGs like 8.7 (eradication of forced labour, the end of modern slavery and human trafficking and securing the prohibition and elimination of the worst forms of child labour). However, evidencing the direct links between an RFMO and the socio-economic aspects of the SDGs can prove challenging, as can measuring the extent of an RFMO's impact without sufficient socio-economic data.

A preliminary study by ICCAT in 2018 explored ways to measure the socio-economic impacts linked to ICCAT tuna fisheries management.<sup>113</sup> It noted the conceptual and pragmatic problems of measuring socio-economic impact, including defining the 'well-being of fisheries communities', how to attribute improvements in well-being to ICCAT management policies and the lack of relevant data from fishing communities. Like ICCAT, the IOTC has also been keen to address its lack of socio-economic focus, in 2017 stating the fact that there is a 'the dearth of information available on the social and economic aspects of tuna fisheries in general'.<sup>114</sup> As a result, the IOTC has adopted a resolution to commission a scoping study of the socio-economic aspects of fisheries management that covers areas such as the 'socio-economic contribution to the fisheries, economic dependence on fishery resources; income from exports; employment conditions and interactions between fleet segments; impact of fishery resource rents, including fisheries agreements with third parties to the local economies in terms of income, investments and jobs'.<sup>115</sup> However, this important step in capturing data relevant to measuring and better understanding sustainable development has impacts beyond the scope of SDG14 and could have arguably had more support from the EU as it was not one of the 14 Parties that submitted the initial proposal for the resolution.<sup>116</sup> This is reiterated when considering that the External Dimension of the Common Fisheries Policy states that the EU should support 'a wider scope of scientific advice, notably through an implementation of the precautionary and ecosystem approaches and complementing them with the tools of socioeconomic analysis'. Supporting the development of socio-economic indicators and better data is certainly one area where the EU could improve its contribution to the SDGs through the CFP's external dimension.

## WWF RECOMMENDATIONS

The EU alongside other Contracting Parties within RFMOs should encourage the development of robust indicators to measure the socio-economic impacts of RFMO members and their contribution to the SDGs (including collection and dissemination of data transparently).

EU Member States alongside other Contracting Parties within RFMOs should encourage the development of robust indicators in line with the indicators set out in the SDGs to measure the socio-economic impacts of RFMO members and their contribution to the SDGs.

The European Commission and the EU must improve the collection and dissemination of data that demonstrates the links between RFMO policy and impacts on economic, environmental and social factors within local communities.

To improve RFMO performance in fulfilling the SDGs, the EU and the European Commission need to promote best practice in decision-making procedures, such as the dispute-resolution mechanisms found in the Northwest Atlantic Fisheries Organisation (NAFO) and the South Pacific Regional Fisheries Management Organisation (SPRFMO).

The European Commission and EU must work towards better monitoring and data collection to demonstrate compliance with and links between the SFPAs and RFMOs policies and their impacts on economic, environmental and social impacts on local communities. This data needs to be cross-checked by independent third parties to ensure it is standardised, accurate and valid to build a more robust picture of the external fleet activity.

## CONCLUSION

# SFPAs, RFMOs AND THE EU'S DRIVE TOWARDS MEETING THE UN SDGs

It is vitally important that the countries with which the European Union interacts, whether through RFMO involvement or SFPAs, are technologically and institutionally robust to make use of the sectoral support provided by the SFPAs and ensure that RFMO members that impact their straddling stocks are acting in a fair and equitable manner.

Understanding the pressures on stocks exerted by fisheries and stock levels will therefore be a key component in the EU's drive towards sustainability. The speed of in-country capacity building and development for partners appears to be determined by their ability to absorb and mobilise the use of funds provided through SFPAs. As well as the historic investment of the partner country itself in their own fisheries. For example, fisheries in The Gambia have traditionally suffered from government investments of only 0.3% of the GDP<sup>117</sup> which has done little more than cover recurrent fisheries industrial expenditures. Similarly, although the Cote d'Ivoire significantly amended its laws after the government convened a maritime forum to draw up a list of measures to restore the viability of the country's marine resources,<sup>118</sup> there has been little evidence that these changes have come into effect in real practice even though SFPA money has been spent on in-country fisheries infrastructure.

Fisheries management capacity in EU partner countries must therefore be built fast enough to try and keep up with the speed of technology use and policy development within the EU. RFMOs may stipulate data collections or technology updates that are difficult for less developed nations to undertake. The difficulty of such rapid capacity building is highlighted when considering the domestic catching sector in The Gambia comprises approximately 1,200 small canoes, half of which operate in coastal areas.

To move towards sustainability, resilience and institutional growth, the EU must work to promote transparency in its existing practices.



**TO MOVE TOWARDS INSTITUTIONAL GROWTH, SUSTAINABILITY AND RESILIENCE, THE EU MUST WORK TO PROMOTE TRANSPARENCY IN ITS CURRENT PRACTICES.**

In the past, signing of private agreements between African countries and EU vessels, for example, have largely gone unreported and have seldom provided details on target species, fishing areas, gear usage and catch data. Even though the EU can be considered to have strong legal frameworks in place, accessing and verifying fisheries data is still extremely difficult.

As such the fishing industry has called for a standardised system of fishery contracts that should be consistent between countries, although information on the acceptance of this suggestion and its implementation is difficult to find. The Fisheries Transparency Initiative (FiTI) launched in Bali, Indonesia in 2017<sup>119</sup> should help to encourage more transparency in the fisheries sector but at present there still appears to be considerable areas for improvement.

Initiatives to increase transparency in both fishing practices and the development of fishery agreements should not only be focused on the catching sector, but also policy development and policy communication within the EU and its partner countries. The signing of international agreements and the ratification of treaties is a step in the right direction, but it is important that there is a transparent and rigorous system by which the contribution of signatories can be evaluated by other members, policy makers, the NGO community and the general public. Commitments must be put into action and all actors need to be accountable. However, it is currently difficult for such evaluations to take place due to a lack of open and easy-to-access information related to both SFPAs and RFMOS (although there is generally more information available for RFMOs). This is also true of numerous fisheries treaties and even the social, economic and environmental goals of the CFP. Without such information, measuring progress made by member countries towards sustainability and equity will remain a challenge.

The CFP's external dimension is only a small part of the EU's drive towards sustainability, equity and global leadership in fisheries governance. The external dimension is, however, an important part of the CFP in terms of the impact it has on people and places and the view non-EU nations have of the EU and its Member States in terms of global marine sustainability. A 2020 deadline for many of the UN's SDGs is fast approaching and meeting these targets appears unlikely, the current European Commission proposal is currently undergoing the co-decision process with the European Council and the European Parliament to reintroduce subsidies for new vessels in the EU, in direct contravention to SDG 14.6.<sup>120</sup> This proposal also contradicts the position the EU is taking in the World Trade Organisation negotiations to ban harmful fishing subsidies which lead to IUU, over capacity and over fishing. The reintroduction of harmful subsidies suggests a strong industry influence in policy negotiations and a significant step backwards in terms of sustainable fisheries development.

EU regulation needs to be more pro-active and ambitious as progress towards transparent, accountable, sustainable and fair external fishing practices is too slow. Industry profits should not overshadow the importance of fair fishing with partner countries or ecologically sustainable practices and as such, the EU documentation related to evaluations of the CFP's external dimension should take this into account. Transparency and accountability are the keys that will determine the future success of the EU's ability to reach the SDGs set out by the UN. This transparency needs to be mirrored by non-EU fleets, which due to technological advances and globalised markets share much of the fishing grounds with the EU's external fleet and therefore share in the significant impact that commercial fisheries can have on marine productivity, ensuring they have a positive impact on national and international economies and human well-being thus delivering on the UN SDGs.



**EU REGULATION NEEDS TO BE MORE PRO-ACTIVE AND AMBITIOUS AS PROGRESS TOWARDS TRANSPARENT, ACCOUNTABLE, SUSTAINABLE AND FAIR EXTERNAL FISHING PRACTICES ARE STILL TOO SLOW.**

## 8. ANNEXES

### ANNEX 1: CURRENTLY ACTIVE EU FISHERIES AGREEMENTS

Country	Expiry date	Type	Total EU contribution per year	Sectorial support per year
Cabo Verde	<i>New protocol being negotiated, legislative procedures underway<sup>129,158</sup> (EU estimated contribution of 750 000€, 350 000€ of which earmarked to promote sustainable management of fisheries in Cabo Verde)</i>			
Comoros	<i>Protocol expired on 31.12.2016. Agreement denounced</i>			
Cook Islands	13.10.2020	Tuna	385 000 / 350 000 €	350 000 €
Côte d'Ivoire	31.7.2024	Tuna	682 000 €	352 000 € (2yrs) - 407 000 €
Gabon	<i>Protocol expired on 23.07.2016</i>			
Greenland	31.12.2020	Mixed	16 099 978 €	2 931 000 €
Guinea- Bissau	<i>New protocol being negotiated, legislative procedures underway<sup>58</sup> (EU estimated contribution of €15.6 million plus additional contribution from EU ship-owners. €4 million is earmarked for supporting the sustainable development of fisheries)</i>			
Kiribati	<i>Protocol expired on 15.09.2015</i>			
Liberia	8.12.2020	Tuna	715 000 € / 650 000 € / 585 000	357 500 / 325 000 / 292 500
Madagascar	<i>Protocol expired on 31.12.2018</i>			
Mauritania	15.11.2019	Mixed	61 625 000 €	4 125 000 €
Mauritius	07.12.2021	Tuna	575 000 €	220 000 €
Micronesia	<i>Protocol expired on 24.02.2010</i>			
Morocco	<i>New protocol negotiated, legislative procedures underway<sup>119</sup> (€ 16 million allocated as a financial contribution to access the resources, €14 million as support for the fisheries sector and an estimated €10 million in ship owner contributions)</i>			
Mozambique	<i>Protocol expired on 31.01.2015</i>			
São Tomé and Príncipe	<i>Protocol expired on 22.05.2018</i>			
Senegal	19.11.2019	Tuna (+ hake component)	1 808 000 / 1 668 000 €	750 000 €
Seychelles	17.1.2020	Tuna	5 350 000 € in 2014 To 5 000 000 in 2019	2 600 000 €
Solomon Islands	<i>Protocol expired on 8.10.2012</i>			
The Gambia	<i>New agreement and protocol negotiated, legislative procedures underway<sup>60</sup> (protocol covers 6 years. The EU will pay 550 000 € per year, half of which will be used to strengthen the sustainable management of fisheries resources and the development of the Gambian fishing sector)</i>			
Equatorial Guinea	<i>Protocol expired on 30.06.2001</i>			

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## ANNEX 2: SUMMARY OF THE EU'S COMMON FISHERIES POLICY - PRINCIPLES OF GOOD GOVERNANCE

- 1) the clear definition of responsibilities at the Union, regional, national and local levels;
- 2) the taking into account of regional specificities, through a regionalised approach;
- 3) the establishment of measures in accordance with the best available scientific advice;
- 4) a long-term perspective;
- 5) administrative cost efficiency;
- 6) appropriate involvement of stakeholders, in particular Advisory Councils, at all stages - from conception to implementation of the measures;
- 7) the primary responsibility of the flag State;
- 8) consistency with other Union policies;
- 9) the use of impact assessments as appropriate;
- 10) coherence between the internal and external dimension of the CFP;
- 11) transparency of data handling in accordance with existing legal requirements, with due respect for private life, the protection of personal data and confidentiality rules; availability of data to the appropriate scientific bodies, other bodies with a scientific or management interest, and other defined end-users.

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## ANNEX 3: THE EU CURRENTLY PLAYS AN ACTIVE ROLE IN SIX HIGHLY MIGRATORY SPECIES (NAMEDLY TUNA) AND ELEVEN (NON-TUNA) REGIONAL FISHERY MANAGEMENT ORGANISATIONS (RFMOs)

### Highly Migratory Species RFMOs:

- 1) International Commission for the Conservation of Atlantic Tunas (ICCAT)
- 2) Indian Ocean Tuna Commission (IOTC)
- 3) Western and Central Pacific Fisheries Commission (WCPFC)
- 4) Inter-American Tropical Tuna Commission (IATTC)
- 5) Agreement on the International Dolphin Conservation Programme (AIDCP) (sister organisation to IATTC)
- 6) Commission for the Conservation of Southern Bluefin Tuna (CCSBT)

### Non-tuna RFMOs:

- 1) North-East Atlantic Fisheries Commission (NEAFC)
- 2) Northwest Atlantic Fisheries Organization (NAFO)
- 3) North Atlantic Salmon Conservation Organisation (NASCO)
- 4) South-East Atlantic Fisheries Organisation (SEAFO)
- 5) South Indian Ocean Fisheries Agreement (SIOFA)
- 6) South Pacific Regional Fisheries Management Organisation (SPRFMO)
- 7) Convention on Conservation of Antarctic Marine Living Resources (CCAMLR)
- 8) General Fisheries Commission for the Mediterranean (GFCM)
- 9) Convention on the Conservation and Management of Pollock Resources in the Central Bering Sea (CCBSP)
- 10) \*Western Central Atlantic Fisheries Commission (WECAFC)
- 11) \*Fisheries Committee for the Eastern Central Atlantic (CECAF)

\*The EU also participates in two RFMOs which have a purely advisory status.

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## ANNEX 4: THE CONTRACTING PARTIES OF THE SOUTHERN INDIAN OCEAN FISHERIES AGREEMENT (SIOFA) AND SIGNATORIES OF THE SOUTHERN INDIAN OCEAN FISHERIES AGREEMENT (SIOFA)

Contracting Parties: Australia, the Cook Island, the European Union, France on behalf of its Indian Ocean Territories, Japan, the Republic of Korea, Mauritius, the Seychelles and Thailand. Cooperating Non-Contracting Parties: Comoros

Signatories (not ratified the agreement): Kenya, Madagascar, Mozambique and New Zealand.

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# OUT OF SIGHT, OUT OF MIND

## THE EU'S EXTERNAL FISHING ACTIVITY AND THE SUSTAINABLE DEVELOPMENT GOALS

**23,000**

Approximately 23,000 fishing vessels operated under EU flags outside EU waters between 2006 and 2020. Between 2008 and 2015, Spain had the highest number of vessels fishing under bilateral agreements followed by France, Italy, Lithuania and Portugal.

**€20 BILLION**

Experts estimate losses of legitimate income up to €20 billion per year globally due to Illegal Unregulated and Unreported fishing, including instances of EU vessels IUU fishing in SFPA partnerships. That is the equivalent of 11-26 million tonnes of fish or 15% of global catch.



**40%**

Up to 40% of the seafood production that enters international markets from SFPA partner countries is worth more than €115 billion per year. SFPAs therefore have a significant bearing on regional and global food security, economic growth and environmental and social resilience of the partner countries

**60%**

The total dietary protein needs met from fishery activities in many Sustainable Fisheries Partnership Agreement (SFPA) partner countries can be as high as 60%.



**Why we are here**

To stop the degradation of the planet's natural environment and to build a future in which humans live in harmony with nature.

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