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From:	European Commission
date of receipt:	23 May 2014
To:	Working Group on Internal and External Fisheries Policy
Subject:	FAO-COFI Preparation 31st Session - EU and common positions

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Delegations will find attached the following documents for the 31st Session of the FAO-COFI (9 to 13 June 2014) to be discussed at the Council Working Party of 28 May:

- **Annex 1** Provisional agenda and time table;
- **Annex 2** Agenda Item 4: Progress in the Implementation of the Code of Conduct for Responsible Fisheries and related instruments;
- **Annex 3** Agenda Item 4: State of World fisheries and aquaculture: Status, issues and needs (including presentation of the state of world fisheries and aquaculture (SOFIA) 2014);
- **Annex 4** Agenda Item 5: Securing sustainable small-scale fisheries;
- **Annex 5** Agenda Item 6.1: Global and regional processes: a follow-up to Rio+20;
- **Annex 6** Agenda Item 6.2: Instruments combatting illegal, unreported and unregulated (IUU) fishing;
- **Annex 7** Agenda Item 8: Fish trade;
- **Annex 8** - Agenda Item 9.1: Decisions and recommendations of the Seventh Session of the COFI Sub Committee on Aquaculture, St Petersburg, Russian Federation, 7-11 October 2013  
- Agenda Item 9.2: Global Aquaculture Advancement Partnership (GAAP) Programme.

## COMMITTEE ON FISHERIES

### Thirty-first Session Rome, 9-13 June 2014 PROVISIONAL AGENDA AND TIMETABLE

**Monday, 9 June 2014**

*Morning: 9:30 hours*

1. Opening of the Session
2. Adoption of the Agenda and arrangements for the Session
3. Designation of Drafting Committee
4. State of world fisheries and aquaculture and progress in the implementation of the Code of Conduct for Responsible Fisheries and related instruments<sup>1</sup>

*Afternoon: 14:30 hours*

4. Continued

<sup>1</sup> Including the Presentation of the State of World Fisheries and Aquaculture (SOFIA) 2014  
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**Tuesday, 10 June 2014**

*Morning: 9:00 hours*

- 5. Securing sustainable small-scale fisheries
  - 5.1 Endorsement of the Voluntary Guidelines for Securing Sustainable Small-scale Fisheries in the Context of Food Security and Poverty Eradication (the SSF-Guidelines)
  - 5.2 Global Assistance Programme for implementation of the SSF-Guidelines

*Afternoon: 14:30 hours*

- 6. Global and regional processes and instruments
  - 6.1 Global and regional processes
  - 6.2 Instruments combating illegal, unreported and unregulated (IUU) fishing
    - (a) Endorsement of Voluntary Guidelines for Flag State Performance
    - (b) Progress and status of the 2009 FAO Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing
- 7. Inland fisheries

**Wednesday, 11 June 2014**

*Morning: 9:00 hours*

- 8. Fish trade
  - 8.1 Decisions and recommendations of the Fourteenth Session of the COFI Sub-Committee on Fish Trade, Bergen, Norway, 24-28 February 2014
  - 8.2 Guidelines on Traceability and Catch Documentations
  - 8.3 Any other matters
- 9. Aquaculture
  - 9.1 Decisions and recommendations of the Seventh Session of the COFI Sub-Committee on Aquaculture, St. Petersburg, Russian Federation, 7-11 October 2013
  - 9.2 Global Aquaculture Advancement Partnership (GAAP) Programme
  - 9.3 Any other matters

*Afternoon: 14.30 hours*

- 10. FAO's work in fisheries and aquaculture under the reviewed Strategic Framework

**Thursday, 12 June 2014**

*Morning: 9:00 hours*

10. Continued

*Afternoon: 14:30 hours*

11. Multi-year programme of work (MYPOW) of the Committee
12. Rules of Procedure of the Committee and Sub-Committees
13. Election of the Chairperson and Vice-Chairpersons of the Thirty-second Session of COFI
14. Any other matters
15. Date and place of the next Session

**Friday, 13 June 2014**

*Morning: FREE*

*Afternoon: 14:30 hours*

16. Adoption of the Report

**31ST SESSION OF THE COMMITTEE ON FISHERIES (COFI)  
OF THE FOOD AND AGRICULTURE ORGANISATION  
Rome, 9-13 June 2014**

**POSITION PAPER**

*Shared competence – EU vote*

**Agenda Item 4. Progress in the Implementation of the Code of Conduct for Responsible Fisheries and related instruments.**

**(COFI/2014/2/Rev.1)**

**The Committee is invited to:**

- note the radical improvement in response rate to the questionnaire and encourage Members to maintain/improve their commitment in responding to the questionnaire for subsequent reports;
- advise, on the review of the contents of the questionnaire on the Code and the further development of the related web-based system taking into account paragraph 48;
- note the progress on the implementation of the Code and address the gaps and constraints identified on various components of the Code and related instruments;
- provide guidance on how to continue to broaden and deepen the implementation of the Code;
- note developments on the status and implementation of international instruments and efforts to combat IUU fishing;
- note progress concerning safety at sea in the fisheries sector, including through cooperation between FAO and the International Labour Organization (ILO) and International Maritime Organization (IMO); and
- note the progress made and advise on how to accelerate and broaden the effective implementation of the International Guidelines for Bycatch management and Reduction of Discards.

**COMMON POSITION**  
**(on behalf of the EU and its Member States)**  
**Background**

**EU contribution to the questionnaire**

The European Union (EU) responded on behalf of its Member States, except for questions 18, 19, 20 and 32 which related to integration of fisheries into coastal area management and the flagging and/or authorization of fishing vessels to operate on the high seas, which were to be answered directly by Member States.

**The implementation of the Code of Conduct.**

**The Common Fisheries Policy**

The new Common Fisheries Policy (CFP) has been agreed by the European Parliament and the Council and is in force since 1<sup>st</sup> January 2014. The new Basic Regulation (BR), Regulation (EU) n. 1380/2013 of 11 December 2013 on the CFP<sup>1</sup>.

**Objectives and main elements of the reform**

The CFP aims to ensure that fishing and aquaculture activities are environmentally sustainable in the long-term and are managed in a way that is consistent with the objectives of achieving economic, social and employment benefits, and of contributing to the availability of food supplies. It is based on the **the precautionary approach** to fisheries management, and aims to ensure that exploitation of living marine biological resources restores and maintains populations of harvested species above levels which can produce **the maximum sustainable yield**<sup>2</sup>.

The CFP foresees also the implementation of the **ecosystem-based approach** to fisheries management so as to ensure that negative impacts of fishing activities on the marine ecosystem are minimised, and endeavours to ensure that aquaculture and fisheries activities avoid the degradation of the marine environment. Furthermore, **discarding will be phased-out gradually**. This will also be achieved by avoiding and reducing, as far as possible, unwanted catches, and by gradually ensuring that catches are gradually landed and where necessary, make the best use of unwanted catches, without creating a market for such of those catches that are below the minimum conservation reference size.

The new CFP provides for measures to adjust the fishing capacity of the fleets to levels of fishing opportunities with a view to having economically viable fleets without overexploiting marine biological resources; It foresees the development of sustainable Union aquaculture activities to contribute to food supplies and security and employment;

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<sup>1</sup> Official Journal of the European Union L 354/22 on 28.12.2013.

<sup>2</sup> In this regards, in order to reach the objective of progressively restoring and maintaining populations of fish stocks above biomass levels capable of producing maximum sustainable yield, the maximum sustainable yield exploitation rate shall be achieved by 2015 where possible and, on a progressive, incremental basis at the latest by 2020 for all stocks.

The reformed CFP also aims at contributing to a fair standard of living for those who depend on fishing activities, bearing in mind coastal fisheries and socio-economic aspects. Via the new Common Market Organisation it will also contribute to an efficient and transparent internal market for fisheries and aquaculture products and to ensuring a level-playing field for fisheries and aquaculture products marketed in the Union taking into account the interests of both consumers and producers.

#### External dimension of the CFP

The EU is one of the very few major players with a strong presence in all of the world's oceans through its fleets and investments, bilateral agreements with third countries and participation in most relevant Regional Fisheries Management Organisations. The EU consumes 11% of the world fishery resources in terms of consumption and imports 24% of fishery products in terms of value. This confers a heavy responsibility on the EU to further engage in the tasks of conservation and sustainable management of international fish stocks.

The new BR establishes that the Union shall conduct its external fisheries relations in accordance with its international obligations and internal policy objectives in order to ensure sustainable exploitation, management and conservation of marine biological resources and the marine environment worldwide. To that end the same principles and standards as those applicable under Union law in the area of the CFP will be promoted to allow for a level-playing field for Union operators vis-à-vis third-country operators.

#### IPOA Capacity

All fishing vessels are registered in the Union Fishing Fleet Register which is an essential tool to implement and monitor the CFP. The Fleet Register is a database where all the fishing vessels flying the flag of a Member State have to be registered in accordance with EU legislation.

According to the new CFP, the EU Member States are obliged to report annually on the balance between their fleet capacity of their fleets their fishing opportunities, using the common guidelines prepared by the European Commission. On that basis of that assessment Member States have to put in place measures to adjust the fishing capacity of their fleet to their fishing opportunities over time, taking into account trends and based on best scientific advice, with the objective of achieving a stable and enduring balance between them<sup>3</sup>.

The European Commission has organised a high level conference on the sustainable management of Global Fishing on 13 and 14 March 2014 in Thessaloniki, Greece, with the objective to take the international discourse on fishing capacity management to the next level and to give a new momentum for effective follow-up to international rules/recommendations and to pave the way for more concrete action. During the Conference, a Joint Statement on efforts to promote sustainable fishing capacity management on the global scale was signed by five countries (the United States of America, Japan, Philippines, Colombia and Republic of Indonesia) and the EU. This Joint Statement is calling for more concrete international action and cooperation for addressing fishing capacity management on the basis of existing international instruments.

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<sup>3</sup> *Vid.* Articles 21 and ss. of Regulation (EU) n. 1380/2013 on the CFP.

### **IOPA Seabirds**

Interactions between fisheries and seabirds are frequent and widespread leading to levels of incidental seabird mortality which pose a serious threat to many seabird populations and which have an adverse effect on fishing productivity and profitability.

Current management measures to protect seabirds are contained in a wide range of fisheries and environmental legislation as well as a number of international Conventions and Agreements. These measures, however, have been largely ineffective in reducing seabird bycatch except in some isolated cases in external waters.

The European Commission has adopted an Action Plan for reducing incidental catches of seabirds in fishing gears (EU-PoA)<sup>4</sup>, which seeks to provide a management framework to minimise seabird by-catch to as low levels as are practically possible. This is in line with the objectives of the reformed Common Fisheries Policy (CFP) of moving towards ecosystem management covering all components of the ecosystem including seabirds. It is also consistent with the framework of an International Plan of Action (IPOA) for Reducing the Incidental Catches of Seabirds in Longline Fisheries<sup>1</sup> adopted in 1999 by the UN Food and Agriculture Organisation (FAO) Committee on Fisheries (COFI).

The EU-PoA entails a wide range of elements including recommended actions, strengthening existing provisions and incorporation of certain elements into future Regulations. Some of these measures can be implemented at Union level while others need action by Member States or have to be promoted and endorsed by RFMOs. Furthermore, the EU-PoA foresees both actions that can be implemented immediately while others need a longer term commitment based on available evidence and scientific advice.

### **IOPA Sharks**

In the light of the International Action Plan for the Conservation and Management of Sharks adopted in 1999 by the FAO, the Union should adopt all measures necessary for the conservation of sharks and to minimise waste and discards from shark catches. In this sense, the European Commission adopted a Commission Communication on a European Community Action Plan for the Conservation and Management of Sharks on 5 February 2009.

A shark finning ban for EU fishing exists since 2003 but was reinforced by Regulation (EU) n. 605/2013 of 12 June 2013 on the removal of fins of sharks on board vessels amending Regulation (EC) n.1185/2003. The new Regulation obliges operators to land all sharks with their fins naturally attached. This eliminates the special fishing permits which allowed processing on board, using a 5% fin-to-carcass weight ratio, and the possibility of landings of fins and carcasses in separate ports. These changes will facilitate control and eliminate the existing loophole that could allow finning to go undetected. In order to facilitate on-board storage and handling and to ensure safety, operators are allowed to slice partly through the fins and fold them against the carcass to create a cylindrical shape.

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<sup>4</sup> COM(2012) 665 final of 16.11.2012, Action Plan for reducing incidental catches of seabirds in fishing gears.



Regional fisheries management organisations (RFMOs) are increasingly addressing the issue of shark finning. In addition, their scientific bodies are showing a preference for sharks to be landed with their fins naturally attached to their bodies and are noting that this is the best way to prevent finning and to facilitate the collection of data needed for stock assessments. The annual resolutions on sustainable fisheries issued by the United Nations General Assembly since 2007, the 2008 IUCN Global Policy against shark finning and the 2010 Meeting of the Fish Stocks Agreement Review Conference have all called on nations to take measures requiring that all sharks are landed with their fins naturally attached to their bodies. Since the adoption of Regulation (EU) n. 605/2013 the EU has promoted systematically the adoption of a fins attached policy in RFMOs.

### **IUU Fishing**

The EU IUU Regulation (No 1005/2008) entered into force 1 January 2010 and is the most elaborate control system on IUU fishing, globally, that prevents illegal products to enter the EU market. So far 90 third countries have notified the Commission that they have put in place the necessary legal instruments, the dedicated procedures, and the appropriate administrative structures for the certification of the catches by vessels flying their flag.

Based on measures in the IUU regulation, the Council – upon proposal from the Commission – identified 3 third countries (Belize, Cambodia and Guinea Conakry) as non-cooperating with trade sanctions as consequence. In addition, the COM has pre-identified 8 countries as non-cooperating (Curacao, Fiji, Ghana, Korea, Panama, Sri Lanka, Togo, Vanuatu). The COM has also evaluated the implementation of the IUU Regulation by at least another 20 countries as well as signed MoUs on the fight against IUU with the US and Japan. The Commission is internationally also involved in increasing cooperation in the fight against IUU (through fora such as Interpol, FAO, RFMOs, OECD, International Monitoring, Control and Surveillance network).

Furthermore, the Commission has investigated more than 200 cases involving vessels from 28 countries. As a direct consequence of these actions, sanctions against almost 50 vessels, amounting roughly to 9 million EUR, have been imposed by the flag and coastal States concerned. As for our own EU operators, the European Funds for Maritime Affairs and Fisheries (EMFF) now includes conditionality on aid to operators – so involvement in illegal fishing equals no aid. So far, the COM has not listed any IUU vessels on the basis of its own investigations but only transposed existing RFMO lists.

### **Safety at sea**

The Commission and Member States fully support initiatives launched to fight forced labour in the fishing industry. All Member States have ratified the ILO's 8 core labour standards, which include Conventions C 29 and C 105.

EU Member States are also committed to ratify the ILO 188 Convention on work in fishing. No EU MS has ratified it so far, but we hope the tenth ratification will occur in 2014, so that the Convention will enter into force 12 months afterwards.

The EU Social Partners (i.e. representatives of management and labour) have already signed an agreement aimed at making ILO C188's main provisions mandatory across the EU, through a specific EU Decision that is likely to be adopted in 2014 or early 2015.

As regards the the International Convention on Standards of Training, Certification and Watch-keeping for Fishing Vessel Personnel of the International Maritime Organisation (STCW-F) 4 Member States have ratified (DK, ES, LT, LV) and the Commission has tabled a proposal authorising MS to accede to the Convention (COM(2013)595). We expect this text to be adopted by the Council this year. This Convention is already in force.

In addition, the EMFF supports investments on board aimed at improving safety and working conditions.

### **International Guidelines for Bycatch management and Reduction of Discards**

According to the new CFP Regulation<sup>5</sup> (*cit. sup.*), the new discard policy does not only apply to EU waters but also to Union fishing vessels outside Union waters in waters not subject to third countries' sovereignty or jurisdiction. Deadlines most relevant for the application of landing obligations in external waters are 1<sup>st</sup> January 2015 for small and large pelagic fisheries and 1<sup>st</sup> January 2017 for all other fisheries in non-Union waters not subject to third countries' sovereignty or jurisdiction. This is without prejudice to the Union's international obligations.

## **Line to take**

### **Questionnaire**

The EU welcomes the higher return rate to the questionnaire and the overview received .We encourage FAO Members to respond to the questionnaire for subsequent reports.

### **Implementation of the Code of Conduct**

The EU is itself fully committed to the Code of Conduct. It has completed the reform process of its Common Fisheries Policy (CFP) with the aim to ensure that fisheries are environmentally, economically, and socially sustainable based on principles of good governance including decision-making based on best available scientific advice and on the precautionary principle, broad stakeholder involvement and a long-term perspective.

To act against the continued decline of many fish stocks the new CFP rules implement the commitment undertaken by the EU at Johannesburg and reiterated at Rio+20 to ensure the exploitation of marine biological resources at rates which restore and maintain populations of harvested stocks above levels that can produce maximum sustainable yield by 2015 and at the latest by 2020, if not possible earlier. Furthermore the new CFP contains measures to reduce the high levels of unwanted catches and to gradually eliminate discards, including an obligation to land catches. This will decrease the waste of edible fish being thrown back dead into the sea.

To ensure the objective of sustainable exploitation of marine biological resources is more effectively achieved, the CFP also takes a multiannual approach to fisheries management, establishing as a priority multiannual plans reflecting the specificities of different fisheries. Such multiannual plans will have clearly defined management objectives in order to contribute to the sustainable exploitation of the stocks and to the protection of the marine ecosystems concerned.

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<sup>5</sup> Article 15 Regulation (EU) n. 1380/2013 of 11 December 2013 on the CFP

The CFP also obliges Member States to take specific measures to align the number of Union fishing vessels with available resources, based on their assessments of the balance between the fishing capacity of their fleets and the fishing opportunities available to them.

Through the implementation of the eco-system based approach to fisheries management, the CFP contributes to the protection of the marine environment, to the sustainable management of all commercially exploited species.

Overall, the new CFP should, therefore, contribute to the Unions' implementation of its international obligations under the Code of Conduct. The EU calls on all States to live up to the Code of Conduct, and in particular to implement the precautionary approach and the eco-system based fisheries management with a view to end overfishing and ensure the conservation and sustainable use of marine resources. The EU calls for international cooperation and coordination to reach these goals.

With regard to the implementation of the International Plans of Action the EU is pleased to report that it has reinforced its shark finning ban and adopted a new Regulation in 2013 obliging operators to land all sharks with their fins naturally attached. Furthermore, the European Commission has adopted in November 2012 an Action Plan for reducing incidental catches of seabirds in fishing gears (EU-PoA). This Plan seeks to provide a management framework to minimise seabird by-catch to as low levels as are practically possible. Finally, the EU is also committed to give a new momentum to the global discussions on fishing overcapacity and has organised under the auspices of the Greek Presidency and in cooperation with the FAO earlier this year an international conference on sustainable fishing capacity management. The event was concluded with the signing of a Joint Statement on capacity management by the EU and five states.

## IUU

The fight against IUU fishing is a priority for the EU.

The EU has signed and approved the 2009 FAO Agreement on Port State Measures in 2011 and encourages other States to do so to bring it into force as soon as possible. The EU also calls on Regional Fisheries Management Organisations to adopt measures relating to the rights and duties of their members as port states in line with the PSM Agreement. Cooperation amongst parties to assist developing countries in fulfilling their obligations under the agreement should be started without delay once the Agreement enters into force.

The EU supports the endorsement of the Voluntary Guidelines for Flag State Performance by the 31st COFI and underlines the importance of flag state responsibilities in line with international obligations. This instrument, although voluntary, is of high political importance in the fight against IUU fishing. The EU therefore encourages all states to use these guidelines.

The EU notes with appreciation the progress of the FAO concerning the development of the Global Record of Fishing Vessels. The EU proposes to continue its fruitful cooperation with the FAO towards the development and the implementation of the Global Record. The EU supports the use of IMO numbers for vessels of 100 gross tonnage and above registered into the Global Record as well as the FAO proposal to insert the UVI number on the vessel's Certificate of Registry.

### **Safety at Sea (MS)**

EU encourages progress on safety at sea in view of the high accident rate in fisheries. To EU member states are committed to ratify the ILO 188 Convention on work in fishing so that it can enter into force as soon as possible.

The EU would also like to stress the relationship between IUU fishing and organized crime, including cases of forced labour and non-decent work conditions on board of IUU vessels. The EU welcomes initiatives aimed at fighting forced labour in the fishing industry.

### **Discards**

The EU notes that more than half of FAO members considered in the questionnaire by catch and discards as a threat to the sustainability of fish stocks. The EU shares the view that discards constitute a substantial waste and negatively affect the sustainable exploitation of marine biological resources and marine ecosystems, the financial viability of fisheries as well as food security. Therefore, the EU has decided to gradually eliminate discards. To this end, the new EU fisheries policy establishes landing obligations which will be introduced gradually between 2015 and 2019 for all commercial fisheries subject to catch limits and in the Mediterranean subject to minimum reference sizes. Under the so-called landing obligation all catches have to be kept on board and landed. The EU encourages other States to strengthen monitoring schemes and management measures to gradually eliminate discards. It also supports further FAO initiatives with a view to facilitate the implementation of the International Guidelines for Bycatch management and reduction of discards.

**31ST SESSION OF THE COMMITTEE ON FISHERIES (COFI)  
OF THE FOOD AND AGRICULTURE ORGANISATION  
Rome, 9-13 June 2014  
POSITION PAPER**

*Shared competence – EU vote*

**Agenda Item 4. State of World fisheries and aquaculture: Status, issues and needs (including presentation of the state of world fisheries and aquaculture (SOFIA) 2014).**

– COFI/2014/2/Rev.1

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**The Committee is invited to:**

- comment on FAO's role in reporting on the state of world fisheries and aquaculture and how COFI can best contribute to this and benefit from it;
- comment on the extent to which the SOFIA publication serves this role and how it can be improved;
- provide guidance for FAO's future work in this regard;

**COMMON POSITION**  
(on behalf of the EU and its Member States)

**Background**

At the 30<sup>th</sup> COFI in 2012, it was decided to include a dedicated item in the provisional Agenda of COFI in order to provide delegates with the opportunity to discuss the general topic of the state of fisheries and aquaculture, whether at the global, regional or national level, and to precede this agenda item with the presentation summarizing the State of World Fisheries and Aquaculture publication.

The State of World Fisheries and Aquaculture (SOFIA) report is an annotated statistical highlight of global capture fisheries and of aquaculture production. Data coverage in the report is of uncertain quality for many states, and is certainly incomplete concerning some states. Nevertheless FAO data and this document are the only available data sources that can be used to obtain a global picture of the state of fish stocks and aquaculture production worldwide, and to make inferences about world food security and future trading patterns.

The EU and its Member States should fully support this valuable activity.

We can make suggestions to strengthen the reporting procedures so that better inferences can be drawn about capacity utilisation and the state of fish stocks, while recognising that many less-developed states will not immediately be in a position to implement these improvements.

This year, the key information in SOFIA 2014 can be summarised as follows:

- Total global capture production of 93.7 million tonnes in 2011 was the second-highest ever. World aquaculture production attained another all-time high of 90.4 million tonnes (live weight equivalent) in 2012, including 66.6 million tonnes of food fish and 23.8 million tonnes of aquatic algae (mostly seaweeds)
- Global aquaculture production has continued to grow, albeit more slowly than in the 1980s and 1990s, and it attained in 2010 60 million tonnes (excluding aquatic plants and non-food products).
- In response to a request at the Thirtieth Session of COFI, the review of marine fishery resources considers whether stocks are fished at sustainable levels or not. Previously, FAO categorized stocks as non-fully exploited, fully exploited stocks or overexploited.
- As regards the state of marine fishery resources and the fraction of stocks fished within biologically sustainable levels has exhibited a decreasing trend, declining from 90 percent in 1974 to 71.2 percent in 2011. Thus, in 2011, 28.8 percent of fish stocks were estimated as fished at a biologically unsustainable level and therefore overfished. Of the total number of stocks assessed in 2011, fully fished stocks accounted for 61.3 percent and underfished stocks 9.9 percent.
- Farmed food fish contributed a record 42.2 percent of the total 158 million tonnes of fish produced by capture fisheries (including for non-food uses) and aquaculture in 2012. World food fish aquaculture production expanded at an average annual rate of 6.2 percent in the period 2000–2012, more slowly than in the periods 1980–1990 (10.8 percent) and 1990–2000 (9.5 percent).
- Overall, new highs have been set in the fisheries and aquaculture sector over the last two years. Fish is among the most traded food commodities worldwide. Fishery trade has expanded considerably in recent decades, as the sector operates in an increasingly globalized environment. Trade reached a peak of US\$129.8 billion in 2011, dipping slightly in 2012 to US\$129.2 billion. Consumers' tastes and preferences for fish and fishery products vary, with markets catering to demand for items ranging from live aquatic animals to a variety of processed products. In 2012, 76 percent of the quantity of fish and fishery products exported was destined for human consumption. Developing countries continue to play an increasing role in supplying world markets, accounting for 61 percent of all fish exports by quantity and 54 percent by value in 2012.

- In terms of livelihoods, millions of people around the world find a source of income and livelihood in the fisheries and aquaculture sector. The most recent estimates indicate that 58.3 million people were engaged in the primary sector of capture fisheries and aquaculture in 2012.

### **Line to take**

The EU commends the FAO Fisheries and Aquaculture Department for its excellent work in producing the SOFIA study and encourages it continuing reporting on the state of world fisheries and aquaculture.

The FAO SOFIA report is a fundamental starting point for assessing global trends in fish production and the state of world fisheries. It is key to understanding the world food security situation of fish production with respect both to capture production and to aquaculture production. It has high long-term and strategic interest for all states.

To complete SOFIA reporting, the EU encourages FAO to develop further the diagnosis of production trends.

For example, provided SOFIA 2014 follows the same structure and is similar in content to SOFIA 2012, the chart of global trends in world marine fish stocks since 1974 (figure 18 in SOFIA 2012) should be accompanied by similar charts repeated on a regional level. Also, numbers of stocks should be provided as well as the global totals. A distinction should be made between stocks fished with  $F > F_{msy}$  and stocks with  $B < B_{msy}$  as this is important for making inferences about the future. More data on the issue of the fleet capacity should be provided as capacity management is key for sustainable management. The EU therefore encourages FAO to publish summaries of indicators of overcapacity. To that aim, the EU recommends that the size of the active and inactive fleets be reported separately.

FAO should also consider developing standard indicators of vessel activity (actual vessel use compared to potential full utilisation in the fishery concerned), the dependence of fleets on stocks that are overexploited compared to  $F_{msy}$  and/or on stocks that are currently depleted, to be used by Member States in reporting under Paragraphs 20 and 44 of the IPOA for the management of fishing capacity and reported under SOFIA and reporting on FAO code of conduct.

The EU welcomes the news that media coverage, number of citations and web traffic related to this publication are growing, as evidence that the global fisheries and aquaculture issues are being more effectively disseminated.

We note with concern that the proportion of stocks fished at unsustainable level still accounted for about 29 per cent of all assessed marine stocks in 2011. Of the remaining stocks, most of them are fully exploited and only 9.9% still show some potential for development. For fish stocks in European waters the proportion of overfished stocks in the Atlantic and nearby seas fell from 32 out of 34 stocks as measured in 2003 to 16 out of 41 stocks as measured in 2011, i.e. from 94% to 39%. New measurements made in 2012 show that stocks of Iberian-Atlantic anglerfish, blue whiting, haddock and herring in the North Sea and west of Scotland, northern hake, saithe, North Sea plaice, and eastern Baltic cod and herring in the Baltic Sea are known not to be overfished.

Sprat in the Black Sea, the Baltic Sea and the North Sea are also known not to be overfished. This is to a large extent due to determined action with regard to the setting of levels for Total Allowable Catches over recent years at MSY levels. In the Mediterranean Sea, bluefin tuna and some stocks of sardine and anchovy are also not overfished. However, the percentage of overfished stocks is still too high and the EU will continue its efforts to phase out overfishing within European waters and invites other FAO members to do so.

The EU is concerned that stock specific target reference points have been often exceeded leading to overexploited stocks. Furthermore, target points have not always been established. It seems therefore clear that in many cases, national policies and legal and institutional frameworks need to be strengthened, and in particular the setting of target and limit reference points should be a priority.

The EU is also concerned by the number of « data-poor stocks », and encourages FAO countries to strengthen data collection, and all relevant scientific bodies to develop proxy approaches in line with the precautionary approach and facing the current uncertainties regarding biomass assessments, in order to define target reference points that allow to reach Maximum Sustainable Yield on an urgent basis.

We are also concerned by the conservation status of certain stocks of deep sea species. The EU is committed to a sustainable management of deep-sea fishing activities and wishes to underline the importance of the current work undertaken by the FAO on the development of tools relating to the deep-sea fisheries. As a number of EU Member States have engaged considerable funds in this programme, the EU wish to receive mid-term information relating to the progress made in the scope of this programme.

Finally, the EU notes that the state of world marine fish stocks is published with an excessively long-time lag. Steps should be taken to speed up the reporting process. The EU also reiterates its requests that the SOFIA report be released before COFI sessions to allow appropriate consideration and preparations by COFI members for the discussion in COFI.



**31ST SESSION OF THE COMMITTEE ON FISHERIES (COFI)  
OF THE FOOD AND AGRICULTURE ORGANISATION  
Rome, 9-13 June 2014  
POSITION PAPER**

**Agenda Item 5.      Securing sustainable small-scale fisheries**

**5.1 Endorsement of the Voluntary Guidelines for Securing Sustainable Small-scale Fisheries in the Context of Food Security and Poverty Eradication (the SSF-Guidelines)**

*Shared Competence – EU vote*

- COFI/2014/3

**5.2 Global Assistance Programme for implementation of the SSF-Guidelines**

*Shared Competence – MS vote*

**The Committee is invited to:**

- consider the Chairperson's report of the Technical Consultation on the International Guidelines for Securing Sustainable Small-Scale Fisheries (COFI/2014/Inf.10)
- consider and finalize the Chairperson's text of the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication included in Document COFI/2014/Inf.10.
- consider the proposed outline of a Global Assistance Programme and advise on activities to support secure and sustainable small-scale fisheries, including the future implementation of the SSF Guidelines – subject to their finalization - and the mobilization of extrabudgetary resources within the new strategic framework of FAO.

**Background**

- EU fleet is to be characterized to a high degree as a small-scale fleet. Applying the current cut-off definition (as determined for the EFF) of vessels under 12 meters with passive gear, almost 80 % of the fleet or over 63.000 vessels fall in the category of small-scale vessels. While they represent less than 10 % of gross tonnage of the EU fleet and just over 30 % of engine capacity, they are almost completely composed of SME (small and medium enterprises), and within that category the large majority has 10 employees or less.

- The contribution by small-scale vessels to the economy of fisheries is significant, adding up 2.1 billion euros or 26% of the total value of landings in the EU 27. Since a large share of the small-scale fleets is dedicated to daily fishing trips, and are closely connected in their activities to their home ports, the small-scale fleets contribute to the socio-economic prosperity and the social fabric of the coastal communities, by creating employment in the coastal areas beyond the catching activities.
- The European Union has no specific differentiated conservation and fisheries management regime for the small-scale fleets. They are to meet the conservation standards with the same rigor as other fleet segments. However, under the reform of the CFP, the Commission proposes specific measures for the small-scale fleets.
- The Union has allowed Member States to apply specific access provisions, favouring small-scale coastal fisheries in particular with regard to access to the 12 nautical miles waters. Almost all Member States have some kind of specific access restrictions in place which in many cases favour the small-scale vessels.
- In its financial instrument for fisheries the Union has introduced specific provisions for the funding of measures. Notably the Union has preferential aid rates for small-scale vessels.
- Allocation of fishing opportunities within Member States is a competence of the Member States (and not of the Union). However, in light of the need to ensure sustainable exploitation of the resources and the aim to healthy seas, the Commission considers that Member States should give preference to sustainable, low-impact fishing.
- Similarly the COM proposes financial support that is geared to help small-scale vessels recover a competitive edge, in particular in relation to business development on the one hand and selectivity and sustainability attempts on the other hand.
- Finally the COM proposes active involvement in social issues related to job attractiveness, working conditions, with social partners. Small-scale fleet representatives also deserve more space in the stakeholder consultation forums on the conservation policies. In this vein, established practice for observer participation in FAO should be respected.
- FAO is working on "Voluntary guidelines for securing sustainable small-scale fisheries in the context of food security and poverty eradication" ("SSF Guidelines"; COFI/2014/Inf.10/Appendix E). After extended consultation, the chair has prepared a text on which there is a consensus on all parts except for 6.18 (concerning situations of occupation). The text, which is of voluntary nature, focuses on the needs of developing countries and will complement the 1995 "FAO Code of Conduct for Responsible Fisheries". The SSF guidelines have a substantial sociological component and the 29<sup>th</sup> FAO COFI agreed to the establishment of a global assistance programme (covering outreach, science and policy, stakeholder empowerment, and implementation support) that will be coordinated and implemented by FAO.

- The EU’s position has been to support the voluntary nature of the Guidelines and their specific focus on developing countries. The EU position was that the Guidelines had to be consistent with the objectives of the CFP reform and make sure that small scale fisheries are not excluded from the general principles of conservation and management policies and specific attention should be paid to small scale fisheries and dependent coastal communities, including public funding in support of the sustainability of small scale fisheries. The draft guidelines are in line with these principles.
- The outstanding paragraph relating to the situation of small-scale fisheries in “situations of occupation” was proposed by Mauritania but opposed by Canada. An alternative text not mentioning the expression “situations of occupation” was put on the table but could not be agreed on. Our position is that a compromise should be found and that the alternative paragraph goes into the right direction. It is also important to stress that the draft guidelines state that they should apply to small-scale fisheries in all contexts and refer to the need to respect international human right standards, so a specific paragraph may not be needed.

### **Line to take**

- We support increased attention to the role of small scale fisheries, both for food security and as a lever for economic growth in coastal areas. The EU places a high value on small-scale coastal fisheries and this is recognised in internal legislation concerning fisheries management and support.
- We support similar priority is assigned to Small Scale Fisheries in other parts of the world. Focus on small scale actors and vulnerable communities lies at the heart of the EU's development policy for food security and EU fisheries policy as well. The EU sees the small-scale fisheries sector as a contributor to socio-economic development, in particular in coastal areas, and livelihood security. The EU supports policies that achieve sustainability noting that they contribute to strengthened performance of small-scale fleets. Concerning EU fisheries in third countries, we recall our commitment only to engage in fisheries for the surplus of production that is available once the national needs of the third country has been met.
- The European Union appreciates the work of the chair and welcomes the results achieved so far at the Technical Consultation despite the fact that no final agreement could be reached on paragraph 6.18.
- The Voluntary Guidelines will be an important complement to the Code of Conduct for Responsible Fisheries. Voluntary in nature, they focus on the needs of developing countries and address a wide range of issues relevant to small-scale fisheries while aiming at achieving sustainable utilisation of fishery resources. The EU agrees with the development of implementation strategies for the Guidelines at various levels including the local, national and regional levels, as well as at the global level.

- The EU supports the adoption by the 31st COFI of the Draft FAO Guidelines on Securing Sustainable Small Scale Fisheries and therefore call on FAO members to come to a compromise as regards paragraph 6.18 of the draft Guidelines, which is still into brackets. This is essential for the Guidelines to be endorsed and implemented.
- The EU and the EU member states may consider support to the implementation of the SSF Guidelines in the framework of their Cooperation and development policies.

**31ST SESSION OF THE COMMITTEE ON FISHERIES (COFI)  
OF THE FOOD AND AGRICULTURE ORGANISATION  
Rome, 9-13 June 2014**

**POSITION PAPER**

*Shared competence – EU vote*

**Agenda Item 6.1. Global and regional processes: a follow-up to Rio+20.**

**(COFI/2014/2/Rev.1)**

**The Committee is invited to:**

- review FAO's Blue Growth Initiative (BGI) as an integration mechanism for building synergies across the UN system and with other current regional and global processes;
- consider and provide guidance related to the findings of FAO's performance review of the FAO Regional Fisheries Bodies;
- consider and provide guidance on the measures that need to be taken at the regional and global levels to ensure that the BGI provides a better representation of fisheries stakeholder interests, and any support that FAO can provide in this regard through further development of policy assistance and capacity development.

**COMMON POSITION**

**(on behalf of the EU and its Member States)**

**Background**

Marine ecosystems and maritime economies transcend national boundaries. This renders international cooperation on ocean matters essential. Moreover, open dialogues and exchange of views are a mean to identify best practices, harmonize positions and more generally promote global ocean governance.

The EU is a contracting party to the United Nations Convention on the Law of the Sea of 1982 (UNCLOS) and to the United Nations Agreement on the implementation of the provisions of the UNCLOS relating to the conservation and management of straddling fish stocks and highly migratory fish stocks of 1995 (UNFSA) and to the FAO Agreement to promote compliance with international conservation and management measures by fishing vessels on the high seas of 1993. The EU is party to most of the Regional Fisheries Management Organisations (RFMOs).

The EU has already been concluded the FAO Port State Measures Agreement, which is not yet in force. In addition, the EU has actively participated in a number of voluntary international instruments, such as the FAO Code of Conduct, the FAO International Plans of Action or the FAO Voluntary Guidelines for Flag State Performance. The latter was finalised in 2013 and will be submitted to FAO Member States at COFI for adoption in 2014. The reformed Common Fisheries Policy should contribute to the Union's proper discharge of its international obligations under these international instruments.

The EU participates in 17 fisheries bodies of which two are of advisory nature. The EU is thus one of the most active party in international fisheries governance. Under the leadership of the EU, RFMOs are increasingly implementing an eco-system approach to fisheries management, and put in place rules to protect vulnerable marine eco-systems and marine areas.

For the last five years, the implementation of the Communication from the Commission on "Developing the international dimension of the Integrated Maritime Policy of the European Union" (COM (2009) 536), was driven by a strategy to foster international ocean governance based on the rule of the Law the sea. Global membership of UNCLOS is a EU priority and this is being promoted through dialogue with third countries. In this strategy key objectives are the protection of marine biodiversity, including in areas beyond national jurisdiction, international cooperation in order to reduce and mitigate climate change impacts; ensuring maritime safety, maritime security and freedom of navigation; promoting decent working conditions in the maritime sectors; finally, understanding the sea better. All these targets have been pursued through United Nations and other international fora as well as other informal processes, regional cooperation (in particular, in shared sea basins) and bilateral relations.

The EU has launched, in the framework of its Integrated Maritime Policy, initiatives to strengthen Europe's competitiveness in all maritime policy areas. In that context, the Commission adopted in September 2012, the Blue Growth Communication highlighting opportunities for sustainable growth from marine and maritime sectors in Europe. In October 2012, European ministers responsible for marine and maritime affairs endorsed the Limassol Declaration on "A marine and maritime agenda for growth and jobs", which cemented blue growth as the maritime pillar of the Europe 2020 strategy. In the Blue Growth Communication, five blue growth focus areas were highlighted, namely, blue energy, maritime, coastal and cruise tourism, blue biotechnology, marine mineral resources and aquaculture. Europe can benefit from unlocking the growth potential in these areas and this is what we will be pursuing until the end of this Commission's mandate.

The EU has also made progress in implementing commitments made in Rio+20. Rio+20 was aimed at renewing the political commitment for sustainable development, to assess the progress to date and the remaining gaps in the implementation of the outcomes of major summits on sustainable development, and address new challenges.

In response to the outcome of Rio+20, the 2013 Commission Communication "A DECENT LIFE FOR ALL: Ending poverty and giving the world a sustainable future " outlines the principles for an overarching framework for post-2015 which would provide a coherent and comprehensive response to the universal challenges of poverty eradication and sustainable development. As for oceans it stated: "Given the global importance of oceans, protecting and restoring the health of oceans and marine ecosystems for sustainable livelihoods goals should apply universally, helping deliver sustainable fish stocks also with a view to food security."

In addition, Rio+20 established that the UNGA will take a decision on an international instrument on *Marine biological diversity beyond areas of national jurisdiction* (BBNJ) under UNCLOS before the end of the 69th session (i.e. by August 2015). Discussions on the "scope, parameters and feasibility" of the new instrument took place at the beginning of April based on submissions made by States, including the EU.

To strengthen and promote coordination and coherence of United Nations system activities related to ocean and coastal areas, the UN member States agreed on simplified new Terms of reference (ToRs) for UN Oceans, the inter-agency coordinating mechanism within the UN system with respect to oceans-related issues. The objective was to ensure that this mechanism would be restricted to simply coordinating the work of relevant UN bodies without entering into policy (which was the prerogative of States). The revised terms of reference were adopted by the UNGA through the Resolution (and were annexed to it) following negotiations which took over a year.

- The FAO Blue Growth Initiative

The FAO Blue Growth initiative mentioned in the COFI working document was conceived by the FAO as an integration mechanism for building synergies across the UN system and with other current regional and global processes. According to the FAO, the goal of the BGI is "to address food security and poverty alleviation by producing quality capture and aquaculture fish through processes which are integrated, sustainable and socio-ecologically sensitive".

On this initiative, two issues need to be raised:

First, despite the fact that the FAO also refers to a Blue Growth initiative, the FAO Blue Growth initiative (BGI) is a different concept than the one used by the EU.

Second, it is not clear how this initiative, on which we have little information, relate to the UN Oceans initiative and how duplication can be avoided.

- The FAO's performance review of the FAO Regional Fisheries Bodies

Eleven RFBs have been established under the legal framework of the FAO. These RFBs have been established in accordance with the provisions of either Article VI or Article XIV of the FAO Constitution. Article VI RFBs have advisory powers while Article XIV RFBs have regulatory powers and many adopt binding management measures and enjoy a certain level of functional autonomy from the FAO.

The 30th COFI requested FAO to initiate performance reviews of the eleven RFBs which fall under its auspices. Following the performance review, FAO recognises that there is a compelling urgency to address the identified weaknesses (lack of funds, lack of human resources, low attendance, overlapping areas of competence, outdated constitutions..) and calls on the members of these bodies to drive this change.

The EU is a contracting party to five FAO Regional Fisheries Bodies: WECAFC<sup>6</sup>, CECAF<sup>7</sup> and SWIOFC<sup>8</sup> which are so-called article VI FAO bodies and to the GFCM<sup>9</sup> and the IOTC<sup>10</sup>, which are so-called article XIV bodies.

The EU calls for the results of the performance reviews to be taken into account as a number of FAO RFBs need to be reformed to foster improvements in the scientific knowledge and the promotion of sustainable fisheries management.

### **Line to take**

- The EU supports efforts to develop collaborative initiatives for sustainable use of the oceans and improve international ocean governance. The EU's efforts and achievements in the development of an Integrated Maritime Policy should be highlighted. Ecological, social and economic sustainability of the oceans and seas is a main objective for the EU.
- The EU priorities for oceans and fisheries aim at ensuring the sustainability of fisheries and marine eco-systems in line with internal policies, in particular the Common Fisheries Policy (CFP) and the Marine Strategy Framework Directive. This includes ensuring resilience to climate change, the establishment of rules at the international level for the protection of biodiversity, and the promotion of integrated management of the oceans to ensure their sustainable use.

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<sup>6</sup>The Western Central Atlantic Fishery Commission

<sup>7</sup>The Fishery Committee for the Eastern Central Atlantic

<sup>8</sup>The Southwest Indian Ocean Fisheries Commission

<sup>9</sup>The General Fisheries Commission for the Mediterranean

<sup>10</sup>The Indian Ocean Tuna Commission



- The European Union and its Member States are committed to developing the BBNJ UNCLOS implementing agreement. The EU would like to see that the upcoming series of Working Group meetings is used constructively to remove remaining stumbling blocks and will work with all countries to ensure that a positive decision will be taken at the end of the process by August 2015.
- The EU encourages the universal ratification and full implementation on the UNCLOS, the UNFSA and other relevant international Law agreements on the Law of the Sea.
- The EU encourages performance reviews of RFMOs as mentioned in the UNGA Resolutions. The EU is committed to the reinforcement of RFMOs, including improving transparency and accountability, in particular by carrying out regular performance reviews which should contain some element of independent evaluation, making the results publicly available and subsequently implementing the recommendations of such reviews, as appropriate. This also applies to the FAO Regional Fisheries Bodies (RFB). The EU encourages the meaningful participation of all interested parties in RFB and the strengthening of RFB, as appropriate, based on a case by case analysis.
- With regard to the Blue Growth Initiative of the FAO, the EU would like to get further information on this new initiative. The EU is also interested to understand how this Initiative relates to UN-Oceans Interagency mechanism which seeks to enhance the coordination, coherence and effectiveness of competent organizations of the UN system. Consideration should be given to avoid that the two mechanisms duplicate each other's work.

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**POSITION PAPER**

**Agenda Item 6.2. Instruments combatting illegal, unreported and unregulated (IUU) fishing**

- (a) Endorsement of the Voluntary Guidelines for Securing Sustainable Small-scale Fisheries in the Context of Food Security and Poverty Eradication (the SSF-Guidelines)
- (b) Progress on the Status of the 2009 FAO Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing

*EU Competence – EU vote*

- COFI/2014/4.2

**The Committee is invited to:**

- endorse the Voluntary Guidelines for Flag State Performance;
- note the progress and status of the 2009 FAO Agreement on Port State Measures;
- note the progress concerning the development of the Global Record of Fishing Vessels, Refrigerated Transport Vessels and Supply Vessels and provide guidance, as appropriate, towards the continued development and implementation of the Global Record;
- note the developments in satisfying the prerequisite for the use of the International Maritime Organization (IMO) Number as the Global Record's Unique Vessel Identifier (UVI) and encourage Member States with a fleet which classifies for phase 1 to ensure that eligible vessels have obtained an IMO number and to make the relevant data available to the Global Record;
- recognize the need to establish a financial mechanism to support long-term development, implementation and maintenance of the Global Record and encourage Members to support the progress through provision of extra-budgetary contributions.

## **EU POSITION** (on behalf of the EU)

### **Background**

#### **IUU Regulation**

- The IUU Regulation (No 1005/2008) entered into force 1 January 2010 and is the most elaborate control system on IUU fishing, globally. So far 90 third countries have notified the Commission that they have in place the necessary legal instruments, the dedicated procedures, and the appropriate administrative structures for the certification of the catches by vessels flying their flag
- Based on measures in the IUU regulation, the Council – upon proposal from the Commission – identified 3 third countries (Belize, Cambodia and Guinea Conakry) as non-cooperating with trade sanctions as consequence. In addition, the COM has pre-identified 8 countries as non-cooperating (Curacao, Fiji, Ghana, Korea, Panama, Sri Lanka, Togo, Vanuatu). The COM has also evaluated the implementation of the IUU Regulation by at least another 20 countries as well as signed MoU's on the fight against IUU with the US and Japan. The Commission is internationally also involved in increasing cooperation in the fight against IUU (through fora such as Interpol, FAO, RFMOs, OECD, International Monitoring, Control and Surveillance network).
- Furthermore, the Commission has investigated more than 200 cases involving vessels from 28 countries. As a direct consequence of these actions, sanctions against almost 50 vessels, amounting roughly to 9 million EUR, have been imposed by the flag and coastal States concerned. As for our own EU operators, the EMFF now includes conditionality on aid to operators – so involvement in illegal fishing equals no aid. So far, the COM has not listed any IUU vessels on the basis of its own investigations but only transposed existing RFMO lists.

#### **Port State Measures**

- The EU has signed and approved the 2009 FAO Agreement on Port State Measures and has participated in the open ended technical meeting that drafted the terms of reference for the ad hoc working group referred to in Article 21 of the Agreement found that were endorsed by COFI in 2012.
- The Commission only deals with contact points and designated ports in the context of the EU IUU Regulation, but not in the context of the implementation of the Port States Agreement, which is still not in force.
- The EU has promoted Port State Measures in RFMOs and will continue to do so.

## **Flag State Performance**

- Under the discussions on IUU issues, COFI will be asked to endorse the Voluntary Guidelines on Flag State Performance adopted following a Technical Consultation.
- Most of the content of the Guidelines, are explicitly similar to the EU's own IUU provisions (such as those regarding the "Performance assessment criteria, measures and actions" and most of those relative to "the cooperation between flag States and Coastal States"). The sections regarding external assessments and the use of market measures also remain compatible with our IUU policy. To avoid any kind of confusion about a specific issue not covered in the guidelines, at the end of the session, the EU delivered the following statement which has been included in the minutes of the technical Consultation:

"The EU understands that the adoption is without prejudice to actions and procedures foreseen under domestic legislation aiming to identify non-cooperating flag States in the fight against IUU fishing".

## **Global Record of Fishing Vessels, refrigerated transport vessels and supply vessels (GR)**

In the 30<sup>th</sup> session of COFI in July 2012 the EU supported the creation of a Global Record (GR) of Fishing Vessels, refrigerated transport vessels and supply vessels as a major tool in the fight against IUU fishing and to implement the Port State Measures Agreement (PSMA).

The key component of this information is the Unique Vessel Identifier (UVI), which ensures reliable and verified identification of each vessel so as to enhance traceability. The UVI will be associated with a vessel for its entire life, even when it is subject to changes of flag, ownership, name etc.

One of our proposals in the previous COFI meeting was to settle a technical cooperation to ensure an optimum technological compatibility between the FAO and the data providers of the GR.

In the context of the Commission work programme on public procurement 2012, a grant has been signed with the FAO to develop, in cooperation with DG MARE, an international standard for the exchange of fisheries data. This action will end in June 2014. The 9<sup>th</sup> April 2014, DG MARE and FAO presented the first draft of the standard at the 23th Forum of the United Nations Center for Trade Facilitation and Electronic Business (UN/CEFACT) in Geneva, first step for the adoption of the standard.

Since 2012, FAO has been starting the development of the GR and proposes for this COFI a demonstration of a prototype.

## Line to take

- The EU's objective is to foster good governance in world fisheries and thus to ensure the sustainable exploitation of fisheries resources globally by improving the fight against illegal, unregulated and unreported (IUU) fishing on national, regional and global level and to encourage compliance with the obligations under internal law as flag, port, coastal or market State to take action against IUU fishing
- With the EU IUU Regulation we aim at ensuring the legality of imported fishery products and landings by vessels as the EU is one of the largest markets of fishery products in the world and the first importer of seafood products.
- In its fight against illegal fishing, the EU is committed to assist third countries to conduct structural changes in their fisheries management and enforcement policies and to help them to comply with internationally agreed rules on fisheries management and enforcement.
- Only through international cooperation can we efficiently fight IUU fishing. The EU is strongly committed to such cooperation.
- The EU has signed and ratify the 2009 FAO Agreement on Port State Measures in 2011 and encourages other States to do so to bring it into force as soon as possible. The EU also calls on Regional Fisheries Management Organisations to adopt measures relating to the rights and duties of their members as port states in line with the PSM Agreement. Cooperation amongst parties to assist developing countries in fulfilling their obligations under the agreement should be started without delay once the Agreement enters into force.
- The EU supports the endorsement of the Voluntary Guidelines for Flag State Performance by the 31<sup>st</sup> COFI and underlines the importance of flag state responsibilities in line with international obligations. This instrument, although voluntary, is of high political importance in the fight against IUU fishing. The EU therefore encourages all states to use these guidelines.

- The EU notes with appreciation the progress of the FAO concerning the development of the Global Record of Fishing Vessels. The EU strongly supports the efforts of the FAO in defining in cooperation with the EU and UN/CEFACT an international standard for the exchanges of fisheries data. The EU encourages the FAO to promote and enforce this new standard in any future exchanges related to the Global Record.
- The EU proposes to continue its fruitful cooperation with the FAO towards the development and the implementation of the Global Record in particular in the fields of technical guidance and advice, evaluation of the Global Record prototype and testing of the data exchanges.

The EU supports the use of IMO numbers for vessels of 100 gross tonnage and above registered into the Global Record. The EU supports the FAO proposal to insert the UVI number on the vessel's Certificate of Registry which includes the particulars identifying the vessel, and on all other vessel documentation. The EU recognizes the need for funding to guarantee the development and implementation of the Global Record. The EU has already provided financial support and technical assistance to and will consider looking into future support possibilities. The maintenance costs of the Global Register system should be assessed and addressed by the FAO with due regard of the cost-efficiency principle.

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POSITION PAPER**

**Agenda Item 8. Fish trade**

8.1 Decisions and recommendations of the Fourteenth Session of the COFI Sub-Committee on Fish Trade, Bergen, Norway, 24-28 February 2014

*Shared competence – EU vote*

8.2 Guidelines on Traceability

*Shared competence – EU vote  
and Catch Documentations  
EU Competence – EU Vote*

8.3 Ανψ στγερ ματτερσ

**The Committee is invited to:**

- endorse the report of the Sub-Committee on Fish Trade; and
- provide guidance on the follow up to the issues raised in the report.

## EU POSITION

(on behalf of the EU and its Member States)

### Background

#### Fish Trade Sub-Committee

FAO Members meet every two years under the Sub-Committee on Fish Trade, which is one of the sub-committees established by the Committee on Fisheries (COFI). This Subcommittee is a forum for analysis, proposals and recommendations on technical and economic aspects of international trade in fish and fishery products. It recommends the Committee on Fisheries (COFI) to endorse its conclusions and recommendations.

EU common positions were discussed at the Council fisheries working group on 12 and 20 February 2014 and the Commission proposals were subsequently agreed, with minor changes to the EU Declaration of competences. In Bergen, the Greek Presidency was not represented but eight delegates from seven Member States (Denmark, Estonia, Germany, Hungary, Spain the UK and Sweden) were represented in the Sub Committee. Preparatory and coordination meetings were organised on the spot.

## **MAIN CONCLUSIONS AND RECOMMENDATIONS**

The work proceeded according to the agenda in a consensual and constructive manner. The meeting was opened by Mrs Elisabeth Aspaker on behalf of the Government of Norway and Mr Árni Mathiesen, Assistant Director-General of FAO, in charge of fisheries and aquaculture, gave the opening address.

The final report can be considered satisfactory in relation to the EU common positions and the main outcomes of the Session described in doc COFI/2014/6 reflect a thorough analysis of the recommendations drawn by the Subcommittee.

### **Eco-labelling – Report on the effect of ecolabelling schemes on fisheries**

The EU is by far the main market in the world for ecolabelled products. The new Common Organisation of the Market (Reg 1379/2013) states in article 36 that the Commission shall submit a feasibility report on options for an eco-label scheme for fishery and aquaculture products, in particular on establishing such a scheme on a Union-wide basis and on setting minimum requirements for the use by Member States of a Union eco-label.

Therefore the on-going work within FAO COFI on guidelines and an evaluation framework for ecolabelling schemes is a major source and reference for the debate to come in the EU.

At the Bergen Sub-Committee on Trade, FAO explained the findings of a consultant on the economic impact of private ecolabels and on the evidence on utilisation of FAO's draft evaluation framework. FAO requested advise on future work and endorsement of ongoing activities.

Many States expressed concerns about a range of issues relating to ecolabelling schemes, including their potential to create trade restrictions and generate increased costs.

Many Members called upon FAO to provide technical assistance for developing countries in meeting market access requirements for fisheries certification and in improving national capacity for sustainable fisheries management. The Sub-Committee agreed that more research is needed on the impact of eco-labels on the sustainability of fisheries and economic returns to producers.

The issue of ecolabelling is a very sensitive and contentious issue in particular with developing countries which fear that these schemes may act as barriers to trade.

### **Guidelines on Traceability and Catch Documentations of the Agenda (Doc. COFI/2014/1)**

This item is not covered in the "Annotation/Guide on Agenda Items" (Doc COFI/2014/Inf.4), and no specific document of support is provided by FAO. Meanwhile, these two topics were discussed by the Subcommittee on Fish Trade in Bergen, and the outcomes of such discussions are briefly explained in Doc. COFI/2014/6



### **Traceability best practice guidelines**

FAO presented the consultant's report which provides a comprehensive review of traceability within the current regulatory and non-regulatory standards in relation to food safety, sustainability and legality as well as a first draft of traceability guidelines. Some Members indicated that there was no consensus in COFI for the Secretariat to present a draft best practice guidelines on traceability.

Some Members recommended that further work in this area should focus on ensuring the legality of fish. The Sub-Committee agreed that the consultant's report lacked a gap analysis and many Members recommended that the Secretariat convene an expert consultation to undertake this work. The EU supports the organisation of an expert consultation on this matter.

### **Catch Documentation Schemes**

Some Members noted the usefulness of catch documentation schemes in the fight against illegal, unreported and unregulated (IUU) fishing, and highlighted the need for technical assistance and capacity building in the implementation of such schemes.

The Sub-Committee took note of an offer to finance an expert consultation on catch documentation schemes in line with terms of reference to be agreed by COFI for such work. The Sub-Committee took note of the following principles to apply to catch documentation schemes: a) be in conformity with the provisions of relevant international law; b) not create unnecessary barriers to trade; c) equivalence; d) risk-based; e) reliable, simple, clear and transparent; and f) electronic if possible.

The Sub-Committee reiterated that cost-benefit considerations should also be undertaken before the introduction of any new catch documentation scheme.

The EU has its own catch documentation scheme, the catch certificate, which is found in Council Regulation 1005/2008. The EU has also been promoting catch certificates in RFMOs.

If, contrary to expectations, a discussion on the actual guidelines and criteria is initiated, the Commission can refer to the IUU Regulation as a model to follow. It is however important that we show flexibility towards the format while ensuring that traceability is maintained as well as responsibility of flag States and fishing vessels.

The EU fully supports Norway who has taken the lead on this important point and we should, with reference to point 38 of the Decisions and Recommendations from the Subcommittee on Fish Trade in Bergen, stress the need for COFI to prepare the terms of reference for an expert consultation. In the abovementioned point 38 there is an offer to finance an expert consultation on catch documentation schemes.

### **Line to take**

The European Union participated actively in the sub-committee on fish trade in February 2014 and supports the report prepared by FAO. The EU invites the Committee to similarly endorse the report. The EU also fully supports the work being developed in markets analysis, price and value chain development.

As far as sustainable fishing labels (i.e. eco-labelling) are concerned, the EU invites the Committee to confirm its support to the FAO for its work in this sensitive and sometimes controversial field. The EU is calling for FAO to continue monitoring and analysing the impacts of ecolabels on fish markets and trade.

The EU supports the work of FAO with regard to commercially exploited aquatic species of interest to CITES, in particular for species proposed for inclusion in the CITES Appendices, and ensuring that pertinent information is presented to CITES.

The EU supports FAO's possibility to convene a consultation among experts on traceability from all geographical regions as well as representatives of the various stakeholders along the seafood supply chain. Regarding the funding for such expert consultation the EU would suggest FAO to search for the appropriate budgetary sources.

The EU also supports the work on Catch documentation schemes as CDS are the best tools for ensuring full traceability of fishery products as catch certificate gives on possibility to identify illegal consignments and subsequently deny imports of these. The EU catch certificate has become a very useful tool in the fight against IUU fishing.

The EU finds that in the context of global trade in fishery products it is important to have a standardised catch document. The EU certainly supports electronic means, if possible, as well as assistance/capacity building to developing countries.

The EU fully supports an expert consultation by FAO on this matter and regrets that no Terms of reference were submitted. The EU invites FAO to prepare such Terms of Reference as soon as possible.

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**POSITION PAPER**

*Shared competence – EU vote*

**Agenda Item 9.1. Decisions and recommendations of the Seventh Session of the COFI Sub Committee on Aquaculture, St Petersburg, Russian Federation, 7-11 October 2013.**

**(COFI/2014/7)**

**Agenda Item 9.2. Global Aquaculture Advancement Partnership (GAAP) Programme**

**The Committee is invited to:**

- endorse the report of the Sub-Committee on Aquaculture;
- endorse the revised terms related to culture-based fisheries;
- provide further guidance, as appropriate, with regard to the work of the Department in the field of Aquaculture

**COMMON POSITION**

**(on behalf of the EU and its Member States)**

**Background**

The paper summarises the main points discussed during the seventh session of the Sub-Committee on Aquaculture of the FAO Committee on Fisheries (COFI) that was held in St Petersburg from 7–11 October 2013.

The Sub-Committee approved the draft terms of reference for an Advisory Working Group on Aquatic Genetic Resources and Technologies. The Sub-Committee supported the establishment of a web-based platform for reporting on the implementation of the Code of Conduct for Responsible Fisheries for provisions relevant to aquaculture and culture-based fisheries. The Sub-Committee expressed strong support of the GAAP, the Global Aquaculture Advancement Partnership.

The Sub-Committee approved the draft Evaluation Framework assessing conformity of public and private certification schemes with the FAO technical guidelines on Aquaculture Certification, with reservations from some countries. The Sub-Committee recommended the FAO Fisheries and Aquaculture Department's active participation in the "Second International Conference on Nutrition", scheduled to be held in November 2014.

The European Commission has adopted the Communication on Strategic Guidelines for the sustainable development of EU aquaculture of 29.4.2013. The Strategic Guidelines aim to assist the Member States in defining their own national targets taking account of their relative starting positions, national circumstances and institutional arrangements. Issues covered by EU legislation are not addressed under the open method of coordination, but they provide the framework for its activities.

The Strategic Guidelines presents common priorities and general objectives at EU level. Four priority areas have been identified in consultation with all relevant stakeholders: reducing administrative burdens, improving access to space and water, increasing competitiveness and exploiting competitive advantages due to high quality, health and environmental standards.

Aquaculture is dependent on clean and healthy marine and fresh waters. EU environmental legislation ensures that these preconditions are met. EU legislation also establishes the high health, consumer protection and environmental sustainability standards that EU aquaculture activities have to comply with. These have cost implications for producers, but can be turned into a competitive advantage if the attention of the consumers is drawn on quality, and can also contribute to local acceptability of aquaculture. The CFP reform builds upon these high standards.

The Commission intends to help national and regional administrations to implement EU environmental legislation without imposing unnecessary burdens on producers. To this end, Guidelines on the integration of aquaculture in Natura2000 sites have been published and the Commission has started working on similar Guidelines on aquaculture and the WFD and the MSFD.

Member States are invited to send to the Commission their multiannual national plan at the latest together with the Operational Programme. Member States are encouraged to make a mid-term assessment of the implementation of their multiannual national plan by the end of 2017 on the basis of which the Commission intends to consider the opportunity to revise the strategic guidelines.

### **Line to take**

The EU welcomes the report of the Seventh Session of the COFI Sub Committee on Aquaculture which is the result of fruitful discussions that were held in St Petersburg. In particular, the EU welcomes the adoption of the evaluation framework to assess the conformity of the public and private certification schemes which is particularly important for the EU.

On point 4 of the report (FAO Fisheries and Aquaculture Department's efforts in implementing the recommendations of the past sessions of the COFI Sub-Committee on Aquaculture) the EU would like to reiterate its view that at this stage, it is premature to include “genetically modified organisms (GMOs)” in the scope of the activities of the Advisory Working Group on Aquatic Genetic Resources and Technologies given the lack of support of consumers and the limited information and experience on this technology.

The EU considers the role of FAO in the promotion of sustainable aquaculture development at global level to be very relevant, in particular for securing food security for developing countries. Regarding future work, the EU insists on the importance of improving quality and availability of feeds and alternative sources for feed, as recommended by the 30<sup>th</sup> Session of COFI. Continued emphasis on alternatives for fish meal and fish oil has to be maintained. The EU also believes that it is important to address the environmental and ecosystem considerations of feeds and feeding regimes and to promote research into alternatives to fishmeal and fish oil uses to secure more fish for direct human consumption.

The EU supports the approach towards developing a Global Aquaculture Advancement Partnership (GAAP) Programme but understands that the continuity of such programme could only be guaranteed by its funding through the regular budget and not through extra budgetary resources.

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