

# GREENPEACE

## Defending Ocean Life

### Summary of Recommendations to the FAO Committee on Fisheries 27<sup>th</sup> Session - March 5-9<sup>th</sup> 2007, Rome, Italy

Recent decades have seen a massive increase in global fishing effort and drastic declines in global fish stocks with significant impacts on marine diversity. In 2004, the FAO State of the World's Fisheries and Aquaculture stated that in 12 out of 16 regions evaluated, at least 70% of stocks are already fully exploited or over-exploited.<sup>1</sup> Populations of top predators, a key indication of ecosystem health, are disappearing at an alarming rate. Regions that have been over-exploited have shown severe declines in the biomass of high-trophic level fishes over the past 100 years.<sup>2</sup> The depletion of these species coupled with the destruction of deep-sea habitats and associated habitat complexity has been shown to cause shifts in ocean ecosystems.

In spite of stated good intentions continue to set quotas and fishing effort higher than scientifically recognised levels and have failed to implement the tough actions necessary to stop Illegal, Unregulated and Unreported (IUU) fishing. Decision making bodies tasked with managing fish stocks and marine ecosystems continue to be held to ransom by fishing interests that threaten to undermine conservation measures. In the face of overwhelming evidence that fisheries management needs radical change, Governments, like the deep-sea vessels destroying the marine environment, are dragging their feet.

#### **RFMOs need urgent change**

If the world's governments are to charge Regional Fisheries Management Organisations (RFMOs) with properly managing global fish stocks and marine ecosystems in the high seas, then those same governments must take responsibility to ensure that RFMOs are fundamentally changed, so as to meet the challenges that face the global marine environment. Governments must understand that fishing activities impact not only on fish stocks, but also marine ecosystems. Current management practises are failing to protect and preserve both the fishing industry and marine biodiversity.

In 2006, The UN Fish Stocks Agreement Review Conference confirmed the view that RFMOs were failing when it stated that the Conference agreed "most RFMOs are not performing impressively in their core duty, which is to achieve the long-term sustainability of fish stocks".<sup>3</sup> Recommendations were made to States and RFMO member states to reduce global fishing capacity, implement ecosystem based management and the precautionary approach, and implement enforcement and compliance mechanisms to reduce illegal, unreported and unregulated (IUU) fishing.

Yet RFMOs remain largely incompetent to deal with the threats to deep-sea biodiversity and the wider marine environment in an effective, timely and transparent manner. RFMOs must be given the functional ability and capacity as well as a clear mandate to address the broader ecological impacts of fishing activities on the world's oceans, and shift focus from single-species management to ecosystem management based on the precautionary approach.

The rhetoric of "RFMO reform" has not been translated into real action within decision-making fora that remain dominated by powerful fishing interests, and continue to block implementation of measures required to protect and preserve the rich marine biodiversity of

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<sup>1</sup> The State of the World Fisheries and Aquaculture 2004, p33.

<sup>2</sup> Christensen et al, "Hundred year decline of North Atlantic predatory fishes", Fish and Fisheries, 4, 1-24, 2003. Study indicated that in the North Atlantic the biomass of high trophic level fishes has declined by a factor of 9 over the century.

<sup>3</sup> Summary of the UN Fish Stocks Agreement Review Conference: <http://www.iisd.ca/vol07/enb0761e.html>

our oceans, as well as maintain sustainable fish stocks. Never has this been more blatant than in January 2007. A week after Tuna RFMOs acknowledged that sustainable catch levels were a “key area and challenge”<sup>4</sup>, ICCAT member states negotiated annual bluefin tuna catch levels at more than twice the level recommended by scientists to prevent the collapse of the fish stock.<sup>5</sup> Such decisions render political statements meaningless while increasing the risks to the tuna stocks of the Mediterranean.

**Greenpeace therefore recommends that COFI:**

- Sets clear targets and timelines by which the ecosystem approach and precautionary principle, as outlined in Articles 5 & 6 of the UN Fish Stocks Agreement are to be implemented by States as well as within RFMOs and assist where possible in this process;
- Tasks the FAO with collecting, collating, and making publicly available, comprehensive information on the nature (type of gear), size, species targeted, by-catch rates and ecological impacts of the high seas fishing;
- Strongly urge RFMO member states to adopt rules on transparency and participation that accord with modern standards of international law; and immediately amend the flawed consensus-based decision making within RFMOs so as to prevent lowest common denominator decision making.

## **Ending IUU Fishing**

Illegal, unregulated and unreported fishing continues to threaten the future of legitimate fishing operations, fish stocks and the biodiversity of our oceans. It takes place in every ocean across the globe and is expanding as industrialised fleets move further afield to areas where fisheries management regimes are weak, and monitoring, surveillance and control mechanisms are poor or non-existent. Ending IUU fishing requires a comprehensive and multi-faceted approach from all international agencies and agreements that either have competence over or an interest in managing and conserving fisheries and marine ecosystems.

The impacts of IUU fishing on coastal developing states, whether from an environmental or social point of view, can be particularly severe. IUU fishing exacerbates the depletion of marine resources and puts the livelihoods of fishing communities at risk. Artisanal fishermen have been injured or killed in collisions with illegal trawlers fishing close to the coast and coastal developing states are deprived of revenues.<sup>6</sup>

In the past year alone, Greenpeace has observed vessels engage in illegal transshipments at sea, the use of illegal gear and tampering with equipment ostensibly used for monitoring and surveillance purposes. We have witnessed extremely high levels of illegal fishing in poor regions such as West Africa and observed the devastating effects on fishing communities. Port states from the heart of Europe to the Pacific are guilty of turning a blind eye by failing to adequately regulate the activities of fishing vessels and the companies that buy their fish. Catch data is often inconsistent and incomplete, making it difficult to monitor quotas or accurately determine the status of fisheries. Flag states are often failing to exercise their rights and obligations to control the activities of their fishing vessels. Once again, it is clear that fisheries management organisations are failing to put in place proper monitoring, control and surveillance (MCS) measures to eliminate IUU.

It is no longer sufficient to simply talk about or research the impacts of IUU fishing. Legally binding measures to counteract the impacts of IUU fishing must be adopted and fully enforced immediately.

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<sup>4</sup> Course of Actions for RFMOs from the Kobe meeting of joint tuna RFMOs, January 26, 2007, Kobe, Japan.

<sup>5</sup> Scientific advice recommended an annual maximum quota of 15,000 tonnes. The quotas approved by states in November 2006 were: 29,500t for 2007, 28,500 t for 2008, 27,500 t for 2009 and 25,500 t for 2010. In January, the final overall quota agreed for 2007 was

<sup>6</sup> MRAG estimates that sub-Saharan Africa loses 1 billion US\$/year due to the activities of illegal trawling fleets.

**Greenpeace therefore recommends that COFI:**

- Calls on all states to immediately implement and enforce existing regulations pertaining to IUU fishing.
- Agrees to further refine and negotiate control and enforcement measures across RFMOs and in areas beyond national jurisdiction where no such RFMOs exist so as to prevent deter and eliminate IUU fishing; and works to ensure that such measures are effectively implemented;
- Creates a comprehensive, publicly accessible global record of fishing vessels, including refrigerated transport vessels, including information on beneficial ownership and the history of the vessel (flags, owners, compliance), and a unique vessel identifier system.
- Work with other UN, inter-governmental and non-governmental organisations to establish a centralised and publicly accessible “blacklist” of fishing vessels and companies that breach conservation measures as well as a public ‘whitelist’ of vessels authorised to fish in certain areas and the coordinates of the areas in which they are allowed to fish
- Calls on States to develop a legally binding port state control mechanism to counteract the impacts of IUU fishing, along the lines of the FAO Port Control Scheme.
- Call on all states to legislate and fully implement port state controls to require a “genuine link” between flag-states and the vessels flying their flags, make it illegal for nationals to reflag vessels to avoid compliance, and ensure all vessels submit catch and landing data
- Request both RFMOs and FAO members to outlaw at-sea transshipment except in specifically designated areas that are closely monitored and reported in real time to a relevant authority. Transshipment could also be allowed to occur in specifically designated ports, again, with real time reporting.
- Address the impacts of IUU fishing on developing countries and pro-actively work on the adoption of measures adapted to their needs, including the promotion of regional approaches to the IUU fishing problem, financial and technical assistance and the development of low-cost, low-tech, robust systems to fight illegal fishing.

**Protection of high seas biodiversity**

The high seas and deep-sea ecosystems are at risk from industrial activity as ever more sophisticated technology enables the exploitation of resources that were previously inaccessible. In particular, it is now widely accepted that bottom trawling for deep-sea species not only causes the depletion of target populations, but also severely damages the highly bio-diverse and vulnerable ecosystems on which they depend.

In 2006, in response to growing concern about the devastating impact of bottom trawling on high seas marine ecosystems, United Nations Resolution 61/105 outlined a new set of obligations for the protection of these sensitive ecosystems in areas beyond national jurisdiction.<sup>7</sup>

The resolution called on RFMOs to assess the impact of bottom trawling on the high seas and by the end of 2008, prohibit those fisheries that cannot be managed to prevent “significant adverse impacts” to vulnerable marine ecosystems. The resolution further called on States who are negotiating an RFMO to establish interim measures by the end of 2007 to the same end. States bottom trawling outside an RFMO area were tasked to conduct impact assessments and make them available to the FAO, and unilaterally take measures to prevent “significant adverse impacts” on vulnerable deep-sea habitats by the end of 2007.

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Paragraphs OP 80 to OP 91

The UN Resolution gives specific direction to states and RFMOs to move quickly to take action to protect the high seas, applying a precautionary approach in relation to vulnerable marine ecosystems. In doing so, the resolution also called for states to make information about bottom trawl activities and the location of vulnerable marine ecosystems publicly available.

**Greenpeace therefore recommends that COFI:**

- Call on high seas fishing states to submit information on flagged vessels authorised to fish on the high seas, and any assessments they have made, to determine whether such activities are causing adverse impacts to vulnerable marine ecosystems pursuant to paragraphs 82-86, and for the FAO to make this information publicly accessible so that such areas are not subject to sequential 'experimental' fishing that destroys these habitats.

## **A global network of large-scale Marine Reserves**

At the World Summit on Sustainable Development, States agreed to encourage the application of the ecosystem approach by 2010<sup>8</sup>, as well as to the establishment of a global network of marine reserves by 2012<sup>9</sup>.

The fundamental elements of the ecosystem approach require consideration of the whole ecosystem with a focus on the management of human activities rather than an attempt to manage aspects of ecosystem function.

Given the current uncertainties associated with our understanding of marine ecosystems, Greenpeace believes that a **comprehensive holistic network of marine reserves** is an essential and critical component of any marine management and conservation strategy defined as taking an "ecosystem approach". Marine Reserves are a unique tool that help protect the marine environment from a variety of threats by:

- Providing the necessary control framework required to underpin management in the areas outside their boundaries.
- Remediating the very considerable degradation experienced by marine ecosystems as a result of overexploitation and creating favourable conditions for ecosystem and stock restoration.
- Providing additional benefits including the possibility of enhanced catches outside their boundaries, a bonus that will contribute to the key objective of achieving ecological sustainability.

So far only a tiny proportion (less than 1%) of the world's oceans have been given any form of marine protection. Designating small areas will do little to remedy this as science indicates that the benefits accrue with size, with one review concluding that maximum benefits are gained when 30-70% of the ocean is set aside as Marine Reserves.<sup>10</sup>

**Greenpeace advocates for a global network of fully protected marine reserves covering 40% of global marine ecosystems.**

Closed areas solely for fisheries management purposes do not equate to fully protected marine reserves that are closed to all extractive activities. The suggestion made to the COFI committee that "MPAs are neither equivalent to nor necessarily essential for EAF but may have an important role to play"<sup>11</sup> fails to recognise the essential role that such areas could play in restoring and revitalising marine life across the world's oceans.

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<sup>8</sup> Plan of Implementation of the World Summit on Sustainable Development, Article 30(d), [http://www.un.org/esa/sustdev/documents/WSSD\\_POI\\_PD/English/WSSD\\_PlanImpl.pdf](http://www.un.org/esa/sustdev/documents/WSSD_POI_PD/English/WSSD_PlanImpl.pdf), page 16

<sup>9</sup> Plan of Implementation of the World Summit on Sustainable Development, Article 32(c) [http://www.un.org/esa/sustdev/documents/WSSD\\_POI\\_PD/English/WSSD\\_PlanImpl.pdf](http://www.un.org/esa/sustdev/documents/WSSD_POI_PD/English/WSSD_PlanImpl.pdf), page 18

<sup>10</sup> Lauck T. et al" Implementing the Precautionary Principle in Fisheries Management Through Marine Reserves", Ecological Applications, Vol. 8, No. 1, Supplement: Ecosystem Management for Sustainable Marine Fisheries (Feb., 1998), pp. S72-S78

<sup>11</sup> COFI Document/2007/8, para 26

**Greenpeace therefore recommends that COFI:**

- Supporting achievement of the WSSD target to establish 'comprehensive, effectively managed, and ecologically representative national and regional systems of protected areas by 2012';
- Disseminate information about the potential benefits of MPAs and Marine Reserves in order to promote them as a key fisheries management tool; and
- Provide information in support of the work of other multilateral environmental agreements, such as the CBD, working towards the achievement of the WSSD target.

**Trade Liberalisation and fisheries**

In the recently released report *Trading Away Our Oceans*<sup>12</sup>, Greenpeace demonstrated that trade liberalisation of fisheries is likely to only benefit the handful of countries which have relatively well established domestic fisheries regimes in place. Most other countries are likely to face increasing pressure on their fish stocks, increased domestic prices for fish, and pressure on domestic supplies as high-value and already highly exploited, marine resources are scooped up for export. While liberalisation may deliver cost reductions in the short term for western markets, in the longer term, as stocks become increasingly scarce, prices will rise once again.

As such, at least until there is universal adherence to these instruments, further trade liberalisation of fish and fish products would be highly irresponsible, and potentially damaging to food security and the economies of developing countries.

**Greenpeace therefore recommends that COFI:**

- Request the FAO to immediately conduct a comprehensive study into the potential long term implications of trade liberalisation on developing country economies, their food security and the sustainability of their fisheries in advance of further efforts to liberalise the global fish trade, and to provide the outcomes as advice to member states, the WTO and the public.

**Marine Debris**

The scale of contamination of the marine environment by debris is vast. It is found to be floating in all the world's oceans from the polar-regions to the equator. The seabed is contaminated – predominantly with plastic bags, and plastic is found on beaches across the world. It is known to be the cause of injuries and deaths of numerous marine animals and birds, including seabirds, turtles, seals, sea lions, whales and fish, either because they become entangled in it or they mistake it for prey and eat it.

It is estimated that up to 80% of marine debris originates from land, and 20% is from ocean based sources such as fishing related debris and waste from boats and ships.

**2007 Greenpeace therefore recommends that COFI task the FAO with:**

- Reaffirm that while recognising specific exemptions exist under Annex V of the MARPOL Convention in relation to accidental gear loss and emergencies, that fishing vessels are obligated not to dispose of plastics and other garbage into the sea, and work with the IMO to include comprehensive measures for the application of MARPOL regulations to all fishing vessels.
- Call on all states to implement legislation requiring all fishing gear to be able to be uniquely identified.

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<sup>12</sup> <http://oceans.greenpeace.org/en/documents-reports/tradingaway>