

# European Union and United States: An Opportunity to Collaborate to Combat Illegal, Unreported and Unregulated Fishing and Protect our Global Ocean.

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The ecological and economic security of our ocean is challenged by multiple threats, from over-fishing to global heating, but there is now a unique window of opportunity offered by the convergence of the EU's pioneering European Green Deal and the Biden Administration's ambitious environmental agenda. Both see the ocean as a key front in the climate and biodiversity crises, and both recognise the need for international cooperation to tackle these issues. Illegal, unreported and unregulated (IUU) fishing presents a critical threat to both biodiversity and broader ecosystem security. But, the EU and US Government can agree on a bold, readily achievable, cost-effective programme to combat the problem, delivering greater transparency across the architecture of sea-food supply chains. The Our Oceans Conference in Palau, due to take place on 13-14 April 2022, offers a perfect and timely opportunity to do this.

## The Challenge:

Our ocean is at risk: it is becoming warmer, more acidic, polluted and massively over-fished. The UN FAO makes clear that nearly 90% of the world's marine fish populations that have been measured are now either fully exploited or over-exploited. And, as fish populations decline, there is still a massive and growing demand for seafood and an explosion in fishing capacity across every continent. The world's human population is set to reach 9.7 billion by 2050, an increase of well over 3 billion from 2000, placing fish populations - and the species and habitats they live alongside - under unparalleled threat.

As legitimate revenues in the harvesting sector decline from reduced catches and global demand for cheap seafood increases, unscrupulous operators resort to IUU fishing and human rights abuses to increase revenue and drive down costs. This further depletes fish populations, fueling a vicious cycle that risks pushing ocean ecosystems into a state of total collapse. This undermines the capacity of the ocean to mitigate the effects of the global rise in greenhouse gas emissions and will have devastating consequences for wildlife, the wider marine environment and all who depend upon it.

Many policymakers and reputable seafood companies have long been aware of these worrying trends. However, a lack of transparency hampers efforts to monitor fishing activities, sanction vessels and operators, and exclude IUU seafood from markets and supply chains. In addition to the often-remote nature of fishing, the opacity and complexity of operations in the industry make it difficult to identify and verify the 'actors' involved, including the fishing vessels themselves, their owners and the route of their product to market. There is also often a lack of transparency in licensing (who can fish what, where, when and how) and other formal and informal agreements through which fisheries access is granted, including how much was paid and the conditions of licenses. The challenges in uncovering a vessel's activities, both current and past, and following its catch to market present critical obstacles to tracing information presented to industry and regulators in seafood supply chains. The ease with which vessels can change identities, locations and even their nationalities undermines attempts by states to monitor and manage catches, apply appropriate measures to ensure sustainability and hold vessels and their ultimate owners accountable.

## The Opportunity:

A fundamental shift toward transparency in fisheries governance is critical to the future of our ocean and our climate. The majority of policy changes needed to bring this about are not resource intensive and can realistically be adopted by any state. The EU and the US uniquely are well placed to lead these changes. They are among the world's largest seafood markets and respectively import [60](#) and [90](#) percent of seafood consumed. Fortunately, top decision-makers on both sides of the Atlantic have ambitious and compatible visions of a transition toward transparent fisheries management, and parliamentary support for furthering those visions.

Under Vice-President Timmermans' leadership, the European Green Deal sets a vision of Europe becoming the first climate neutral continent by 2050. The ocean can store vast amounts of carbon, but unchecked, IUU fishing undermines that capacity. The [Farm to Fork strategy](#) and the [EU Biodiversity Strategy](#) thus rightly reiterate the EU's "zero tolerance" toward IUU fishing and the need to flush out illegally caught seafood via an enhanced traceability system that covers all seafood products. The European Parliament has given its [strong support](#). In addition, the European Parliament wants the EU to build on the success of the EU IUU Regulation and cooperate with third countries, including for promoting monitoring of fisheries resources in non-EU waters, to ensure a healthy ecosystem in marine habitats across borders.

President Biden has also set ambitious environmental goals that include action to protect the ocean. The [Executive Order on Tackling the Climate Crisis at Home and Abroad](#) takes a "government-wide approach" that presses "for enhanced climate ambition and integration of climate considerations" across a wide range of international fora, including with regard to the ocean. Meanwhile the U.S. Senate at the end of May 2021 passed a bipartisan amendment to the U.S. Innovation and Competition Act, which recognizes the need for traceability of seafood to ensure a legal and sustainable seafood supply chain, and proposes to include all seafood products in its Seafood Import Monitoring Program. The amendment would enable U.S. authorities to [identify seafood imports at risk of being harvested or produced using forced labor](#). Moreover, the Senate highlights the need to ensure effective implementation of the FAO Agreement on Port State Measures to Prevent, Deter, and Eliminate IUU Fishing.

A fundamental first step for EU and US collaboration is supporting transparency of key fisheries information, easily accessible via open platforms such as the FAO Global Record (in the case of vessel identity information) and Global Fishing Watch (for positional information). This ensures that the data benefits the full range of decision-makers and observers—including states (market, coastal, port and flag), corporate actors through the entire supply chain, investors, insurers, international NGOs and local civil society monitoring fisheries access and corruption.

In order to define practical steps that all states can take now to bring about this radical shift toward transparency, in 2018 the Environmental Justice Foundation (EJF) proposed [10 transparency principles](#) in its Charter for Transparency. These were reflected in [a 2019 publication by EJF, Oceana, The Pew Charitable Trusts, The Nature Conservancy \(TNC\) and the World Wide Fund for Nature \(WWF\)](#) setting out criteria to improve transparency and establish good governance in fisheries, which have been endorsed by large segments of industry, including major supermarket chains such as [Tesco](#).

Recent years have seen key fishing nations adopt one or more of EJF's 10 principles. The EU has led in many of these areas in its own fleet, and it has also inspired change overseas. For instance, following bilateral dialogues with the EU, Korea and Taiwan now publish their distant water fishing license lists and require IMO numbers.

However, international progress remains scattered and the overall sector far from transparent. Most states have large gaps in their approach, leaving unscrupulous actors to seek out the weakest links or lowest common denominator. The widespread use of "flags of convenience" by fishing vessels, and China's growing distant water fleet are particularly noteworthy in this respect.

The transparency measures EJF – and many others across governments, businesses and civil society organisations – propose can make action against illegal fishing much easier, cheaper and far more effective. Yet individual states and companies cannot do this alone. It will require a commitment by governments – particularly large seafood markets and producers – to endorse and implement these transparency measures *across the globe* to end IUU fishing and the associated abuse.

## Next Steps:

**Recognising that the EU and US administrations share ambitious visions for the environment and are seeking to achieve them through international cooperation, there is now a rare window of opportunity.**

The time is ripe for a renewed joint EU-US commitment to a zero tolerance approach for IUU fishing and an associated affirmation of the need to embrace transparency, and to initiate a global dialogue on the implementation of transparency measures needed in global fisheries governance. This could include a clear statement from the world's leading seafood markets –in particular the EU and the USA– that transparency in fisheries is critical in the fight to preserve our ocean.

EJF therefore recommends that Vice-President Timmermans seeks a near-term, high-level convening with counterparts in the Biden administration to produce this joint commitment. In addition to a shared affirmation of the need to combat IUU fishing and associated issues, the EU and US could agree to advance practical, immediately-achievable transparency policies at the Our Oceans Conference in Palau, including the following:

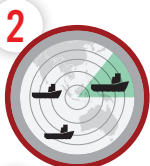
- 1. Give all vessels a unique number**
- 2. Make vessel tracking data public.**
- 3. Publish lists of fishing licences and authorisations.**
- 4. Publish punishments handed out for IUU fishing and fisheries crimes.**
- 5. Ban transferring fish between boats at sea – unless pre-authorised and carefully monitored.**
- 6. Set up a digital database of vessel information.**
- 7. Stop the use of flags of convenience for fishing vessels.**
- 8. Publish details of the true owners of each vessel – who takes home the profit?**
- 9. Punish nationals involved in IUU fishing regardless of the flag they used.**
- 10. Adopt international measures that set clear standards for fishing vessels and the trade in fisheries products.**

# EJF's principles for global transparency



## Give all vessels a unique number

Like cars number plates, but these would stay with vessels from shipyard to scrapyards, regardless of name or flag changes, and should be kept in a global record of fishing vessels.



## Make vessel tracking data public

This will mean neighbouring countries, non-governmental organisations and others can all help with surveillance.



## Publish lists of fishing licences and authorisations

Who's allowed to fish where? Combined with vessel tracking data this means anyone can monitor and raise the alarm about illegal fishing.



## Publish punishments handed out for illegal, unreported and unregulated fishing, and fisheries crimes

The arrests and sanctions imposed for illegal fishing or human rights abuse on fishing vessels should be public, so offenders can be identified.



## Ban transferring fish between boats at sea – unless carefully monitored

This practice enables unscrupulous companies to keep workers at sea, unpaid, for months or years. It also makes the source of the fish, once landed, very difficult to trace.



## Set up a digital database of vessel information

Storing information on fishing vessel registration, licenses, catch and crew is vital, and could eventually enable catches to be certified as fished legally and ethically.



## Stop the use of flags of convenience for fishing vessels

Some countries let any vessel fly their flags for a fee – but then don't properly monitor them, which allows the owners of illegally fishing vessels to remain unaccountable.



## Publish details of the true owners of each vessel – who takes home the profit?

False front companies are often used so that the true beneficiaries of illegal fishing are safe from prosecution.



## Punish anyone involved in illegal, unreported and unregulated fishing

Countries must ensure that none of their citizens support, engage in or profit from illegal fishing, no matter where they are, or which flag they are flying.



## Adopt international measures that set clear standards for fishing vessels and the trade in fisheries products

These include the Port State Measures Agreement, the Work in Fishing Convention and the Cape Town Agreement.