

Opening Statement of Brazil to Panel 1

*21st Special Meeting of
the
International Commission for the Conservation of Atlantic Tunas*

Thank you, Mr. Chairman, for giving us the floor.

We will ask for your indulgence, Mr. Chairman, and apologize already for the rather long intervention I am about to make, but as it deals with Brazilian fundamental interests on this meeting, we believe it would be nonetheless important.

This Panel is surely facing a very difficult situation this year, due to the serious condition of the bigeye tuna stock, which will require extensive and sensitive negotiations. In our view, Mr. Chairman, the result of these negotiations need to accommodate the interests of ALL contracting parties in a fair and equitable manner, taking into account agreements achieved under other multilateral fora that highlight especial provisions for developing coastal States.

Allow us briefly to highlight some of these agreements, starting with Article 116 of UNCLOS that says that all States have the right for their nationals to engage in fishing, but subject to, inter alia, the rights and duties as well as the interests of coastal States. Moreover, in Article 119, it is agreed that in determining the allowable catch and establishing other conservation measures for the living resources in the high seas, States shall take measures which are designed, on the best scientific evidence available to the States concerned, to maintain or restore populations of harvested species at levels which can produce the maximum sustainable yield, as qualified by relevant environmental and economic factors, including the special requirements of developing States. The same article also provides for the non-discrimination in form or in fact against the fishermen of any State.

Likewise, Part VII of the United Nations Fish Stock Agreement also calls the attention to special requirements of developing States, in particular its Articles 24 and 25, that highlight the vulnerability of developing States which are dependent on the exploitation of living marine resources, and the need to avoid adverse impacts on the subsistence, small-scale and artisanal fishers. This provision is reaffirmed in Articles 5 and 7 of the FAO Code of Conduct for Responsible Fisheries and in the FAO resolution that adopted the Code, whereby all States are URGED to take into account the special requirements of developing countries.

Similar understanding can be found in the United Nations General Assembly Resolution 66/288, on the FUTURE WE WANT, in which Member States committed themselves to observe the need to ensure access to fisheries and the importance of access to markets, by subsistence, small-scale and artisanal fisherfolks and their communities, particularly in developing countries.

More recently, the Sustainable Development Goal 14B required States to provide access for small-scale artisanal fishers to marine resources and market, which is reflected on Paragraph 66 of the 33rd FAO Committee on Fisheries Report. The FAO Guidelines for Securing Sustainable Small-Scale Fisheries, which calls upon States to adopt measures to facilitate equitable access to fishery resources for small-scale fishing communities, including, as appropriate, redistributive reform, is another example that could be cited on this matter.

Finally, in the ICCAT resolution 15-13, on the Criteria for the Allocation of Fishing Possibilities, this Commission has agreed, when allocating fishing opportunities, to take into account the interests of artisanal, subsistence and small-scale coastal fishers; the needs of the coastal fishing communities which are dependent mainly on fishing for the stocks; and the socio-economic contribution of the fisheries for stocks regulated by ICCAT to the developing

States.

I beg your indulgence, Mr. Chairman, for the time taken to recollect all these provisions concerning small-scale fisheries and developing coastal states, but we thought it was indeed necessary since quite often they seem to be underplayed, particularly in the exercise of the application of the ICCAT criteria for the allocation of fishing possibilities. The reason for the priority treatment for small-scale fisheries and developing states is not fortuitous. It has a solid reason because these local fishing communities are much more vulnerable to the domestic and external changes, especially when their access to international markets is unilaterally suspended, which is presently our case. Small-scale fishery lacks the mobility big vessels have and this feature make this activity precisely more vulnerable and dependent.

Having said that, Mr. Chairman, we would like to refer to Recommendation 16-01, that presents a TAC of 65,000 t of Bigeye Tuna, of which 57,762 t, close to 90% of the TAC, are distributed among 7 countries, or 13,5% of ICCAT CPCs. Among those, 63% of the allocated TAC are given to Distant Water Fishing Nations and only 37% to Atlantic Coastal States. We have 83% given to Developed States and only 17% to Developing States. If we consider Developing Coastal States, then their participation is reduced to 7%. But, even more important, except for Ghana's artisanal fishing, almost 100% of the quotas are distributed to industrial bait boats, longliners and purse-seiners.

Mr. Chairman, do these figures, by any chance, represent an EQUITABLE distribution of this important fishery resource? That is why, Mr. Chairman, Brazil attaches great importance that this Commission respect the rights of small-scale, artisanal developing coastal states, and strive to accommodate the interests of ALL contracting parties in a fair and equitable manner.

For 60 years Brazil has struggled to develop its tuna fisheries, without much success, except for the coastal fishery for skipjack. Finally, through an unexpected and surprising manner, Brazilian artisanal fishers themselves, with no help from the government or research institutions, found an efficient way to participate in the fishery for tropical tunas. This is a fishery done by artisanal boats, many of which used to fish for lobsters with traps, with a wooden hull, from 12 to 18 m in total length, and with crews with 5 to 7 fishermen, often relatives. All the fishing is done by handline and, therefore, fish by fish. Most of the boats are owned by the fishers themselves, whose whole asset in life is the boat they own. This fishery is not about making profit, Mr. Chairman, it's about making a living; it is not about an economic enterprise, it's about livelihoods and fishing communities, who are striving to feed their families. It's about food security and nutrition.

We really hope, in light of everything we have agreed in international law and instruments along the past half century that the rights of Brazilian small-scale fishers be respected and that this is reflected in a meaningful participation in the way the quotas are allocated. We are coming to this meeting, as usual, in a very positive and constructive mood, but we have to say, Mr. Chairman, that we are not in the condition to accept that our legitimate right as a developing coastal state, whose fishing are done mainly artisanally, be denied.

Mr. Chairman, we do recognize the difficult situation of the bigeye tuna stock and we are fully committed to work with other delegations to bring the TAC to a level compatible with the scientific advice and to adopt monitoring, control and surveillance measures that are necessary to improve the level of regulation in this fishery. As we have already announced, we are creating a specific license for this fishery and reducing the number of boats allowed to fish from little over 300 to 250 boats, a 20% reduction in the fishing capacity from the present level. Since the last year, however, the government already started to work with the productive sector to reduce the current level of catches. As a result of these efforts, the catches have already decreased from 7,750 t, in 2015, to 7,250 t, in 2017, already a 7% reduction. So, as you can see, Mr. Chairman, Brazil is committed to ensure the sustainability of this fishery and is looking forward to working with other delegations around this table to agree on the conservation and management measures needed to bring the bigeye tuna stock back to a healthy level.

Again, we apologize for such a lengthy intervention, Mr. Chairman, and thank you very much for granting us this opportunity.