

Att.: Ms. Charlina VITCHEVA
Director General European Commission
DG MARE – Maritime Affairs and Fisheries
JII99, B-1000 BRUSSELS

Madrid, 22nd of December 2023
Ref: R-11-23/WG5

LDAC LETTER OF RECOMMENDATIONS

Subject: The key role of fisheries observers and the imperative to ensure their protection

Dear Ms. Director General Vitcheva,

Male and female fisheries observers on board of fishing vessels play a key role to ensure the conservation and sustainable exploitation and the scientific research of fisheries resources, being them embarked by mandate of the flag State, the regional fisheries management organisations (RFMO) or in accordance with an agreement reached with a third partner country (in application of the SFPAs).

Yet, due to, *inter alia*, relative physical and geographical isolation, fisheries observers may find themselves in vulnerable situations. Unfortunately, incidents are not uncommon across the world's fleets and may take several forms: assaults, harassment, obstruction, accidents, etc. Incidents, which, in the worst cases, can imply loss of lives.¹

Despite the fact that as a general rule the observers get a respectful and adequate treatment onboard from skippers and crews of EU fishing vessels, the Long-Distance Advisory Council (LDAC) is extremely concerned by some cases allegedly involving Union vessels² and wishes to condemn these types of situations in the strongest possible terms.

The LDAC urges the European Commission and the concerned Member State to take immediate enforcement measures, and thoroughly and timely investigate these allegations. The LDAC also recalls the obligations of all Member States to comply with EU and international legislative provisions on this matter.

¹ The Guardian (2020) Disappearances, danger and death: what is happening to fishery observers?, <https://www.theguardian.com/environment/2020/may/22/disappearances-danger-and-death-what-is-happening-to-fishery-observers>, accessed 30.10.2023.

² Human Rights At Sea (2023) The Necessity of Protecting Fisheries Observers, [https://www.humanrightsatsea.org/sites/default/files/media-files/2023-10/HRAS The Necessity of %20Protecting Fisheries Observers OCT%202023.pdf](https://www.humanrightsatsea.org/sites/default/files/media-files/2023-10/HRAS%20The%20Necessity%20of%20Protecting%20Fisheries%20Observers%20OCT%202023.pdf), accessed 30.10.2023.

Confirmed incidents must result in the application of effective, proportionate, and dissuasive sanctions, in compliance with EU law,³ and/or, being the case, the legislation of the country which has mandated the observer.

Recognising the key role that they play in collection of scientific data (data collection framework), transparency (including in SFPAs) and monitoring of fishing activities at sea (e.g., transhipments, stowage in boxes, certification), the vulnerability inherent with their occupational activities and the job insecurity in which they find themselves, it is critical that every effort is made to protect fisheries observers while performing their duties.

Observers must be protected and respected at all times, and victims must be able to access effective remedy and feel supported at all times both by public administrations, research institutions, and by hiring companies (whether they are shipping companies, agents, or intermediary companies).

Yours sincerely,



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Iván López Van der Veen
LDAC Chair

³ Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported, and unregulated fishing defines the obstruction of the work of observers in the exercise of their duties as a serious infringement.