

Draft Resolution IWC/66/12 on Food Security Submitted by Ghana, Côte d'Ivoire, and Republic of Guinea



Reasons to Oppose IWC/66/12

- The ICRW does not and was never intended to address food security issues;
- Combatting illegal and unregulated fishing, bycatch, and other national problems is the best way to address food security, not killing whales;
- Food safety is linked to food security; eating cetacean products is not safe and cannot be used to remedy threats to food security;
- The Whales Eat Fish Argument is not relevant to ensuring food security

Background:

This draft resolution originated at a COMHAFAT (the Conférence Ministérielle sur la Coopération Halieutique entre les États-Africains Riverains de l'Océan Atlantique/Ministerial Conference on Fisheries Cooperation among African States bordering the Atlantic Ocean¹) meeting in July, 2014, was intended to “support the strategic objectives of the FAO”² and was proposed at IWC65 (IWC/65/10 Rev. 4) but did not achieve consensus.

The current resolution (IWC/66/12) was discussed by COMHAFAT member countries and Japan at its meeting in July, 2016. Reportedly, the resolution was revised “to respond to the objections of certain delegations (US, EU...),” but the current draft has not changed significantly from the text in IWC/65/10 Rev. 4.

The ICRW Was Not Intended to Address Food Security:

Food security is an important issue globally, nationally, and locally. The International

Convention for the Regulation of Whaling (ICRW), except for permitted Aboriginal Subsistence Whaling, is not – and was never intended to be – a treaty that included food security as a primary concern. While amendments to the Schedule have been made over time that mandate, *inter alia* taking into consideration the interests of the consumers of whale products, food security advocates in many developing countries note that these interests must include recognition that non-consumptive utilization of whale resources represents a source of livelihoods and income.³ The concept of food security was not developed until the mid-1970s, well after the ICRW came into force.⁴ The IWC is simply not the proper venue to discuss food security issues.

Most of IWC members have already committed to supporting food security through other international agreements, declarations and agencies that have, as their primary focus, food security and related issues. Such international fora include, *inter alia*, the Food and Agriculture Organization’s Committee on World Food Security, the International Food Security Treaty, the United Nations (UN) World Food Programme, the Food Assistance Convention (formerly the Food Aid Convention) and the UN Commission on Sustainable Development.

There are also numerous regional and international declarations on the subject of food security, including *inter alia*, the Rome Declaration on World Food Security,⁵ the Perth Declaration on Food Security Principles,⁶ and the Rome Declaration on Nutrition,⁷ none of

which point to the need to utilize whales for food security purposes.

Addressing Illegal and Unregulated Fishing, not Killing Whales, is a Solution to Food Security Concerns:

Food security, and the inability to increase sustainable fisheries production, are a result of unsustainable practices in marine fisheries, including but not limited to overfishing; illegal, unreported and unregulated (IUU) fishing; destructive fishing techniques; the lack of adequate laws and an inability to adequately enforce existing fisheries laws; and corruption.⁸ The share of global marine fish stocks that are over-exploited has increased from 10 percent in 1970 to 31.4 percent while 58.1 percent of stocks are now fully exploited.⁹

IUU fishing in West Africa, for example, contributes to: the destruction of the marine ecosystem; the collapse of fish stocks; the loss of jobs and income for local fishing communities; and food insecurity and malnutrition for millions of people. The economic impact of these impacts amounts to ~\$1.3 billion per year, and accounts for between 1/3 and 1/2 of catches.¹⁰ Globally, it has been estimated that illicit fishing may account for up to 26 million metric tons of fish a year, or more than 15 percent of the world's total annual capture fisheries output. In addition to economic damages, such practices threaten local biodiversity and food security in many countries.¹¹

West Africa has the highest level of IUU fishing in the world, with 37% of the region's catch being caught illegally by fishermen from a number of different countries.¹² Foreign and/or export-oriented domestic industrial fleets are increasingly fishing in the waters of developing countries. In 2013, for example more than 600 Chinese vessels were identified fishing off West Africa,¹³ and both Japan and the EU have negotiated access agreements with countries in the region.¹⁴ Most industrially-caught fish is exported out of

Africa, rather than being consumed in the countries where it was caught, adding to food security concerns. Small-scale fisheries that traditionally supplied seafood to coastal and interior rural communities are now competing with industrial fleets—both national and foreign—to the detriment of local food security.¹⁵

West African countries have begun to tackle the food security threat caused by IUU fishing. From August 28, to September 1, 2016, for example, the West African Sub-Regional Fisheries Commission (SRFC) organized a regional operation to control vessels fishing in the exclusive economic zone (EEZ) of Gambia, Senegal, Guinea Bissau and Guinea. The surveillance operation, which was supported by the European Union, involved five patrol vessels and resulted in detection of 14 infractions. Two industrialized Chinese fishing vessels were identified as operating illegally in Guinean waters, in a zone closed to fishing activities with one vessel sent to port to be sanctioned (the other escaped).¹⁶

West Africa's coastal human population increasingly relies on fisheries for both food and income. Total income, however, from fisheries has declined in recent years, while fishing costs have increased. Consequently, fishing has actually worsened poverty in the region rather than providing sustainable livelihoods.¹⁷ In addition, the wastage of fish in the region exacerbates food security problems; more than 25 percent of fish caught in Africa currently is lost to wastage, due to problems in the chain of production, *i.e.* storage, transport and processing.¹⁸

Bycatch is also a threat to food security as, by volume, bycaught fish can be several times that of targeted species, can include juveniles of commercially important fish species, and can harm animals such as cetaceans, sea turtles, sharks and rays. Fishing practices, such as bottom trawling, can also damage sea-bed habitats, and often causes conflict with small-scale coastal fisheries, thereby adding to food

security concerns.¹⁹ Even climate impacts food availability “particularly in the fisheries sector”; changes in climate are affecting the abundance and distribution of harvested aquatic species around the world exacerbating impacts rising ocean temperatures and over-fishing.²⁰

Food Security = Food Safety:

The FAO’s mandate is “to support members in their efforts to ensure that people have regular access to enough high-quality food,”²¹ and has defined food security as “a condition when all people, at all times, have physical and economic access to sufficient, *safe* [emphasis added] and nutritious food to meet their dietary needs and food preferences for an active and healthy life.”²²

Food safety, nutrition and food security are inextricably linked. Unsafe food is a key element of food security, as it contributes to cycles of disease and malnutrition. Reports of infectious diseases in cetaceans are on the rise and some, such as certain strains of *streptococcus*, represent a threat to humans. In response, the IWC has established the Cetacean Diseases of Concern programme (CDoC) to address infectious and non-infectious diseases, including zoonotic diseases which could pose a risk to communities whose residents consume cetacean products.²³ In addition, as noted in IWC Resolution 2012-1,²⁴ contaminants may have a significant negative health effect on consumers of products from marine mammals. A 2014 UN report recognized that while marine mammals are consumed in a number of countries, “a wide range of concerns have been expressed, however, over the unsustainability of the consumption of marine mammals as food, as well as with respect to food safety.”²⁵

The Resolution Text is Inaccurate:

The FAO’s State of Food Insecurity report notes that 793 million people are undernourished, not 870 million.²⁶ The preambular section of

IWC/66/12 refers to the UN Millennium Development Goals (MDGs) yet these goals expired in 2015.²⁷ A report on the MDGs notes that the proportion of undernourished people in the developing regions has fallen by almost half since 1990, from 23.3 per cent in 1990–1992 to 12.9 per cent in 2014–2016²⁸ suggesting that food security concerns might be lessening, not increasing.

In both the preambular and operative text of the draft resolution, references to Article 25 of the Universal Declaration of Human Rights fail to accurately reflect the wording of that article which is that, “*Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food...*”. IWC/66/12, as drafted, also overlooks the key point that food security is inextricably tied to the need to protect “health and well-being;” the resolution fails to address the key concern raised by several international entities that food must be safe to eat.

The ‘Whales Eat Fish’ Argument is Not Relevant to Food Security:

In the context of the IWC, proponents of IWC/65/10 Rev. 4 and IWC66/12 have often noted that whales compete with fishers and, hence, there is a need to cull whales to enhance food security. This over-simplifies a complex issue,²⁹ and ignores recent scientific research which reveals that, instead of competing with fisheries, whales actually enhance ecosystem productivity, thereby benefitting fisheries and contributing to efforts to enhance food security.³⁰ This is noted in draft resolution (IWC/66/15) submitted by Chile.³¹

Other International Fora have Raised Concerns about Similar Proposals:

The recently concluded 17th Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) addressed a similar proposal regarding livelihoods and food security. The proposal was not accepted at the meeting due,

in part, to concerns that food security is outside the scope of CITES.³²

The CITES Secretariat indicated that, “as an autonomous convention with its own governance processes,” CITES does not incorporate into its work the outcomes of FAO.³³ The United States indicated that the issue is largely outside the purview of CITES,³⁴ while the European Union noted that CITES is “not to endorse strategic objectives of another organization (FAO)”³⁵

The concerns identified at CITES are applicable to IWC66. Contracting governments should oppose the resolution and, instead, encourage the proponents to raise their concerns in more appropriate international fora, once they have done everything in their national and regional power to address the primary causes of threats to food security in their marine environment, namely IUU fishing, destructive fishing practices, lack of adequate laws, the lack of a sufficient chain of processing, deficiencies in enforcing existing laws, and corruption.

REFERENCES

¹ <http://www.comhafat.org/en/etats-membres.php>

² <http://comhafat.org/fr/files/actualites/13192015102013AM.pdf>

³ Cisneros-Montemayor A.M., et al. 2010. The global potential for whale watching. *Marine Policy* (2010), doi:10.1016/j.marpol.2010.05.005

Griffen, L. 2009. Food Security/Fisheries. In *Globalization and Security: Social and Cultural Aspects*. Fagan, G.H. and Munck, R., Eds. 2009. ABC Clio Press, Santa Barbara, California. p.131.

⁴ <http://www.fao.org/docrep/005/Y4671E/y4671e06.htm>

It was not until 1981 that the IWC adopted management objectives for Aboriginal Subsistence Whaling (ASW) which included a reference to the nutritional needs of indigenous peoples. <https://iwc.int/aboriginal>

⁵ <http://www.fao.org/docrep/003/w3613e/w3613e00.HTM>

⁶ <http://thecommonwealth.org/sites/default/files/historyitems/documents/PerthDeclarationonFoodSecurityPrinciples.pdf>

⁷ <http://www.fao.org/3/a-ml542e.pdf>

⁸ http://www.un.org/depts/los/general_assembly/contributions_2014/FAO%20contribution%20UN%20SG%20LOS%20report%20Part%20I%20FINAL.pdf

⁹ FAO. 2016. *The State of World Fisheries and Aquaculture 2016. Contributing to food security and nutrition for all*. Rome. 200 pp.

¹⁰ COMHAFAT/LDAC/ISSF (2015). A discussion on the global fight to stop IUU fishing. Powerpoint presentation to a side event at the 24th Session of ICCAT St Julians, Malta. November 2015. http://comhafat.org/fr/files/actualites/doc_actualite_021.pdf

¹¹ SOFIA 2016. The 2009 Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (PSMA) entered into force on 5 June 2016.

¹² Trelawny, C. 2013. “A Symptom of Wider Problems,” *New African Magazine*, 19 March 2013.

¹³ Daniels, A. et.al. 2016. *Western Africa’s missing fish: The impacts of illegal, unreported and unregulated fishing and under-reporting catches by foreign fleets*. Report for the Overseas Development Institute. London.

¹⁴http://wwf.panda.org/what_we_do/where_we_work/west_africa_marine/area/fisheries/

¹⁵ Pauly, D. and Zeller, D. 2016. Catch reconstructions reveal that global marine fisheries catches are higher than reported and declining. *Nat. Commun.* 2016, 7:1024.

<http://www.nature.com/articles/ncomms10244>

¹⁶<http://www.worldfishing.net/news101/industry-news/tackling-illegal-fishing-in-western-africa>

¹⁷ See *e.g.* Bene, C. 2004. "Poverty in Small-Scale Fisheries: a Review and some Further Thoughts" in *Poverty and Small-scale Fisheries in West Africa*. Springer, pp. 61-82; Belhabib, D.; Sumaila, U.R.; and Pauly, D. 2015. Feeding the poor: Contribution of West African fisheries to employment and food security. *Ocean & Coastal Management* 111, July 2015. 10.pp.

¹⁸ World Food Center. 2009. *Fish Supply and Food Security in Africa*. Malaysia. 4pp.

¹⁹ Per supranote 4.

²⁰ IPCC Volume 1, 2014

²¹ <http://www.fao.org/about/what-we-do/en/>

²² FAO, 2005. *Increasing the Contribution of Small-scale Fisheries to Poverty Alleviation and Food Security*, FAO Technical Guidelines for Responsible Fisheries. FAO, Rome.

²³ <https://iwc.int/cetacean-diseases>

²⁴ This resolution is on the importance of continued scientific research with regard to the impact of the degradation of the marine environment on the health of cetaceans and related human health effects

²⁵ Report prepared for the 15th meeting of the United Nations Informal Consultative Process on Ocean Affairs and the Law of the Sea (UNICPOLOS). 2014. "The role of seafood in global food security". 27-30 May 2014, New York.

²⁶ *The State of Food Insecurity in the World 2015*. FAO. Available at <http://www.fao.org/hunger/key-messages/en/>

²⁷http://www.un.org/millenniumgoals/2015_MDG_Report/pdf/MDG%202015%20PR%20FAQs.pdf

²⁸[http://www.un.org/millenniumgoals/2015_MDG_Report/pdf/MDG%202015%20rev%20\(July%2015\).pdf](http://www.un.org/millenniumgoals/2015_MDG_Report/pdf/MDG%202015%20rev%20(July%2015).pdf)

²⁹ See *e.g.* <http://www.antarctica.gov.au/about-antarctica/wildlife/animals/whales/interactions-between-baleen-whales-and-fisheries>.

³⁰ There are a number of peer-reviewed articles that contain information on this subject, among them: Lavenia Ratnarajah *et al.* 2016. A preliminary model of iron fertilisation by baleen whales and Antarctic krill in the Southern Ocean: Sensitivity of primary productivity estimates to parameter uncertainty, *Ecological Modelling*; JJ Kiszka *et al.* 2015. Behavioural drivers of the ecological roles and importance of marine mammals, *Marine Ecology Progress Series*; Roman *et al.* 2014. Whales as ecosystem engineers. *Frontiers in Ecology and the Environment*; and Lavery *et al.* 2014. Whales sustain fisheries: Blue whales stimulate primary production in the Southern Ocean. *Marine Mammal Science*.

³¹ See IWC 66/15 *Cetaceans and Ecosystem Services*

³² The proponents were asked to provide a revised version for consideration at a future CITES Standing Committee.

³³ The Secretariat's full comment on this matter reads, "CITES is an autonomous convention with its own governance processes and does not systematically incorporate into its work the outcomes of FAO or other processes unless otherwise stated in the Convention text or decisions or resolutions of the Conferences of the Parties. However, the Secretariat was unable to find specific references to "food and nutrition security, preservation of cultural identity and security of livelihoods" (last operative clause of the proposed resolution) within the Strategic objectives of FAO."

<https://cites.org/sites/default/files/eng/cop/17/WorkingDocs/E-CoP17-17.pdf>

³⁴<https://www.regulations.gov/document?D=FWS-R9-IA-2011-0087-34404>

³⁵<http://ec.europa.eu/transparency/regdoc/rep/1/2016/EN/1-2016-437-EN-F1-1-ANNEX-2.PDF>