

Powerful,
neo-colonial,
pervasive...

THE E.U. UNDER THE RULE OF TUNA LOBBIES

Ground-breaking
revelations on the domination
of tuna lobbies and the
involvement of public
powers in the pillaging
of African waters



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SUMMARY. A THREE-PAGE NUTSHELL

BLOOM is continuing to dive into the obscure world of tuna fishing and today reveals the shocking results of a study on lobbyists within official delegations during twenty years of negotiations on tropical tuna, between 2002 and 2022.

BLOOM has led an **exhaustive analysis of every negotiating delegation formed by the European Union** while, on behalf of 447 million citizens, it negotiates the rights and conditions of European fishing fleets with African and Indian Ocean countries. **Beyond the EU, we have also studied the composition of all delegations formed by every country** taking part in the discussion on tropical tuna fishing in the Indian Ocean.

Today, we are shining a light for the first time on the overwhelming power of industrial tuna lobbies at the heart of public decisions.

Negotiations on access to various species of tuna in the Indian Ocean are unfolding under the aegis of a specialised intergovernmental commission, the Indian Ocean Tuna Commission (IOTC), which currently includes 24 countries neighbouring the Indian Ocean and 6 non-neighbouring countries exploiting its resources.¹ It should be noted that as well as filling an important role in the European Union delegations, France also sits at the table of international discussions in the name of its overseas territories Mayotte and Réunion. The objective of the Indian Ocean Tuna Commission is to 'sustainably manage' marine resources and to 'promote cooperation' between members.

From 30th January to 5th February 2023, two crucial meetings of the IOTC on the future of tuna fishing will take place in Mombassa, Kenya.

In advance of these meetings, we show that far **from respecting the IOTC objectives of cooperation and sustainability, the European Union, in a shocking generalized collusion with its French and Spanish industrial fishing fleets, is contributing to the overexploitation of fish populations, the degradation of both the climate and health of the Indian Ocean, as well as maintain poverty in developing countries.**

Worse still, our analysis, focusing on 2,778 delegates from 30 countries making up the delegations at the IOTC annual meetings since 2002, shows that **from the moment in 2015 when neighbouring countries demanded a more equal share of marine resources and the implementation of environmental protection measures, the European Union suddenly doubled the size of its delegations (from 22 to 40 people on average with a peak of 70 delegates in 2021)² in such a way as to block any form of environmental progress and economic emancipation in Africa and the Indian Ocean.**

This increase comes with **a boom in the annual number of lobbyists within the European delegation: the number of defenders of industrial interests has gone up from 8 (on average) to 18 since 2015!**

To these 'official' lobbyists we can add the 'infiltrated' lobbyists: the representatives of French and Spanish interests who colonized, almost overnight, the national delegations of the Seychelles and Mauritius, where they have reflagged many vessels and have thus gained consequential influence. Infiltrated lobbyists were absent between 2002 and 2015, but have occupied 22 posts since.

Overall, direct French and Spanish purse seiners' interests have totalled 203 delegates (86 for France and 117 for Spain). This trend could rise as IOTC negotiations intensify, and as Spain started to reflag its vessels to new countries, namely Tanzania

¹ **24 neighbouring countries:** Australia, Bangladesh, Comoros, Eritrea, France (in respect of its overseas territories of Mayotte and Reunion), India, Indonesia, Iran, Kenya, Madagascar, Malaysia, Maldives, Mauritius, Mozambique, Oman, Pakistan, Seychelles, Somalia, South Africa, Sudan, Sri Lanka, Tanzania, Thailand, Yemen; and six **non-neighbouring countries:** China, Japan, Philippines, South Korea, United Kingdom (since its exit from the EU; only its overseas territories of Chagos were previously represented by a full delegation) and the European Union. Our analysis also includes other

delegations such as Belize or Vanuatu, as these countries were members of the IOTC in the past but are not currently members.

² In 2020 and 2021, the meetings were held remotely due to the COVID-19 pandemic, which may have contributed to the large number of delegates. However, it does not explain the large increase in the number of delegates over the entire period 2015-2022.

and Oman; the latter having also commissioned two tuna purse seiners to Spanish yard Zamakona.

Working hands in hands, with daily meetings during IOTC sessions and often seen wining and dining together, **French and Spanish industrial lobbies as well as senior European officials and politicians aggressively maintain that historical catches in the EEZs of coastal States should be attributed to them when it comes to future allocation of fishing opportunities and quotas.** They are comfortable with the neocolonial violence of their position, which consists in eternally preserving their industrial and colonial ascendancy in developing countries — a distortion of competition largely made possible by continuous colossal public subsidies — ³ and continuing to pillage their marine resources without considering a transfer of capacity and fishing income. They have been challenged on numerous occasions to provide a legal basis for this position, but have consistently sidestepped the question. ⁴

At the same time, the EU is blocking proposals coming from African countries to fight the proliferation of ‘Fish Aggregating Devices’ (FADs, the use of which has completely skyrocketed among French and Spanish fishers in recent years), while these artificial rafts deployed on a very large scale but in total opacity contribute not only to the collapse of tuna populations but to that of all marine species. It comes as no surprise that the European Union, monopolized by industrial lobbies, also opposes the transparency of data concerning FADs, regarding their number, geolocation or owners. More importantly the European Union refuses to accept FAD closures in the Indian Ocean for no logical reason other than economic greed, although such closures exist — in the interests of conservation — in all other tuna management organizations where the European Union operates. As tuna stocks are in worse shape in the Indian Ocean (and are deteriorating) than in any other parts of the world, there is however a desperate need for such FAD closures.

French and Spanish purse seiners now catch well over 90% of their volumes using FADs. ⁵ 97% of yellowfin tuna — a species considered overfished since 2015 — caught around FADs are juveniles and have, therefore, never reproduced. ⁶

The positions defended by tuna fleets and public authorities, in a questionable strategic alignment, are even more shocking, as they contradict the objectives of development aid programmes on every count as well as the fundamental missions of other intergovernmental bodies aimed at supporting Indian Ocean States “in the path towards sustainable development”. ⁷ Even more worryingly, they blatantly contradict the objectives of the IOTC’s umbrella organization, the United Nations Food and Agriculture Organization (FAO), and the objectives of the United Nations in general, such as the Sustainable Development Goals. The FAO remains nowhere to be seen when it comes to intervening to assist in resolving these problems, and therefore contributes close to nothing in terms of conservation matters in the area.

In a state of peak confusion between general and sectorial interests, we even discovered that in 2019, the representative of the largest French vessels was officially named as ‘substitute’ (i.e. ‘deputy’) of the Head of the French delegation to the IOTC: Marc Ghiglia, General Delegate of the powerful and omnipresent industrial lobby UAPF (*Union des armateurs à la pêche de France* or ‘Union of French fishing vessel owners’). The Head of delegation in 2019 was Ms Anne-France Mattlet, i.e. the French military official whom France sent on a one-year mission to destroy the European environmental norm from within the *Europêche* lobby (whose Vice President is Mr. Ghiglia, these are intricate circles!). We denounced Ms Mattlet’s conflict of interest with the anti-corruption NGO Anticor on 14 November 2022. *Europêche* is headed by Spanish lobbyist Javier Garat, a shareholder and board member of one of the largest tuna fleets in Europe, Albacora, which owns (among many others) the four largest tuna fishing vessels in the world.

BLOOM fiercely opposes the toxic collusion that exists between public authorities and private lobbies, as it is one of – if not the most – important causes of the destruction of the environment, of economic imbalance between nations and of a lack of confidence in democracy.

The EU has always suffered from a violent duality between its development aid policies and its commercial strategy. On one hand, it provides financial aid to help countries, a lot of which are former European States’ colonies, to develop

³ Sinan et al. (2022) Available at: <https://doi.org/10.3389/fhumd.2022.1044321>

⁴ http://www.iotc.org/sites/default/files/documents/2017/10/Comments_on_PropN_Rev1E.pdf

⁵ See IOTC catch data at: <https://iotc.org/data/datasets>

⁶ Rattle (2020) Available at: <https://www.blumarinefoundation.com/wp-content/uploads/2020/10/Failure-To-Manage-Yellowfin-Tuna-by-the-IOTC-FINAL.pdf>

⁷ A mission that the Indian Ocean Commission (which is a different entity from the IOTC) has set for itself: <https://www.commissionoceanindien.org/nos-valeurs-nos-mandats>

infrastructures, education and health programs in order to “eradicate poverty and achieve sustainable development”,⁸ to “promote good governance and human and economic development, such as fighting hunger and preserving natural resources.” On the other, its own delegations impede economic development and oppose environmental protection measures.

The EU position we are highlighting in this report goes beyond the traditional “inconsistencies” that characterize antagonistic objectives of development aid versus maximization of commercial advantages. Here, we denounce a well-planned strategy by the EU and its industrial lobbies to maintain African and Indian Ocean nations in subsistence economies.

Worse even, we denounce the unacceptable stance of the EU which uses the suspension of development money as a threat to block environmental progress.

Overcoming moral and institutional corruption is possible.

Tuna delegations are not constrained by any IOTC or EU rules, as member States have full discretion over their composition.⁹ But our study as well as the QatarGate, which is shaking the European Parliament and which the Belgian Federal police has unveiled from an investigation stream starting in fisheries corruption (they were following the money in a case of a fishing agreement between Morocco and the EU), shows that urgent ethical rules need to be adopted to halt the profound damage that industrial interests are causing democracy.

Lobbies are not a fatality. Controlling them is only a matter of political will. Our second instalment of the ‘TunaGate’ series begs the question of the model of truly ‘sustainable’ fishing (from an ecological and social point of view) that we want to transition to. To start, public authorities representing the environment should be leading all negotiations and regulatory processes that involve natural resources, in full transparency and public accountability. Any exploitation scheme should be balanced against social benefits while minimizing environmental impact. **African countries must seize the opportunity to reshape the access they grant to their own resources, which so far only benefits retailers and industrial corporations in Europe and other wealthy nations.**

Today BLOOM is addressing a letter to the Indian Ocean Tuna Commission asking it to adopt ethical rules banning industrial groups from official delegations of negotiating countries, limiting their access to the negotiations, and ensuring a much better representation of the general interest during the negotiations, as well as a balance in the sizes of delegations. We also ask the European Commission, France, and Spain to adopt strict rules to end a situation which harms nature, the climate and developing economies.

Lastly, BLOOM also requests the European Commission to disclose the identity of each member having taken part in the negotiating delegations on fishing agreements for every African and Indian Ocean country. We also ask France for the complete list of members belonging to the most obscure lobby of all: the ever-present industrial fishing lobby ‘UAPF’, as well as a comprehensive list of its participation in any official body or meeting.

⁸ https://european-union.europa.eu/priorities-and-actions/actions-topic/development-and-cooperation_en

⁹ See IOTC Rules of Procedure, available at: https://iotc.org/sites/default/files/documents/2022/06/IOTC_Rules_of_Procedure_2022.pdf

THE ORIGINS OF OUR INVESTIGATION

This second chapter of our ‘TunaGate’ investigation reports on the system of joint management with industrial fishing lobbies set up by the public power, in complete contradiction with the imperiousness that should govern the defence of the general interest and, all the more so, a common good such as the ocean.

This second part of the investigation has mainly been inspired by the opinion given by the French Military Ethics Commission¹⁰ on the transfer of the military official, responsible for the management and control of tuna fishing fleets in France (Ms Anne-France Mattlet), to the main French tuna lobby. When BLOOM, together with our colleagues from the anti-corruption NGO Anticor, formed the case to be reported to the French Public Prosecutor’s Office on the failure of this strategic official to respect the compulsory three-year time period between going from the public to the private sector, we focused on two particularly surprising aspects included in the compatibility opinion.

On the one hand, the opinion given about the detachment of Ms Mattlet to the powerful tuna lobbies Orthongel and Européche states that these two “*entities ensure particularly missions of general interest*”, while Orthongel and Européche only represent the private interests of industrial fishers, in particular French and Spanish tuna purse seiners. On the other hand, the opinion suggests that “*in the frame of her previous functions, the concerned party has been called to engage with the European Commission and other national organizations but not with fishing companies*”. In fact, the compatibility opinion completely obliterates her various roles at the IOTC, while Ms Mattlet is very well known in the world of tuna fishing — especially in the IOTC area — and was in constant contact

with the handful of French and Spanish industrials dominating tuna fishing in the Indian Ocean. In particular, she co-chaired and then chaired the IOTC’s Compliance Committee between 2017 and 2021, and as such, she got to control the agenda and meeting reports, and had a final say on which member State was compliant or not.

While studying the composition of the European Union’s official delegations and those of other countries present at the Indian Ocean tuna negotiation table, we became aware of the extent of entryism of private interests within public authorities and the disastrous implications of the institutional organisation of the non-representation of general interest. Public authorities have delegated to industrial lobbies the management of their fishing activities as well as the negotiations concerning access to the wild marine resources on which their activities depend. However, the negotiations that took place in the Indian Ocean Tuna Commission do not address the amounts at which the rights for foreign fleets to access third country waters are purchased. Yet, in light of the results that we found, we think that it is justified to think (and to fear) that the negotiations on ‘fishing agreements’ are also done under the heel of industrials. BLOOM is therefore sending a request to the European Commission today, under the right of transparent access to public data, to find out the identity of all members who took part in the negotiation delegations of fishing agreements for all the African and Indian Ocean countries. We also request the exhaustive list of private agreements and their content, which are established between French and Spanish companies and coastal countries, e.g. between Orthongel and the Comoros.

The lack of transparency in the fishing sector generates a climate of impunity for industrial entities, which damage the interests of European citizens and African nations. Opacity tacitly encourages the overexploitation and the bad management of resources. It is time that impunity and institutional corruption come to an end.

¹⁰ Available on demand

REMINDER — THE FIRST PART OF OUR ‘TUNAGATE’ INVESTIGATION



On 14 November 2022, we revealed in our first part of the ‘TunaGate’ scandal that one of the key people in the French Administration in charge of the management and control of tropical tuna fishing companies, Ms Anne-France Mattlet, had been placed for a period of one year at the tuna lobby Orthongel, which in turn put her at the disposal of the powerful European industrial fishing lobby Europêche.¹¹ On this occasion, BLOOM approached the anti-corruption NGO Anticor to report this case of defection to the French Public Prosecutor, which announced on 2 December 2022 that it was opening an inquiry for illegal conflict of interest.

The timing of this defection was and still is very significant, as it comes at the time when the European Union’s Control Regulation — which dictates the rules to respect regarding the operation and control of fishing fleets — is being renegotiated, and when France finds itself under an infringement procedure by the European Commission, precisely for not having controlled its tropical tuna fleet.

Spain is also known for having grossly misreported its catch data, especially in 2018.¹² In its 2022 report, the Compliance Committee of the IOTC noted that “in 2019, the Scientific Committee noted at its 22nd Session that “the methodology used by the EU (Spain) for the production of catch statistics has led to a sharp increase in reported catches with bigeye tuna in the composition of the tropical tuna catches of the EU purse seine fleet (Spain) in 2018. This increase was considered implausible by the [Working Party Ecosystems and Bycatch (WPTT)]”.¹³ South Africa, in a letter dated 15h April 2019, raised the misreporting and overshooting of the EU quota limits to the then EU Commissioner, Mr. Karmenu Vella and to date the EU has not reported back to the IOTC on their observation of the misreported catch data. As Chair of the Compliance Committee, Ms Mattlet tried on several instances to push this item of Spanish misreporting down the agenda.

The European Commission opened this infringement procedure in June 2021 for two reasons:

- Because France had not conducted controls over its tropical tuna fishing vessels, which is an infringement of the European regulatory framework;
- Because in 2015, France issued derogations exempting its tuna fleets from the obligation to comply with a European measure on catch reporting. This is a blatant violation of European law (see Part 1 of our ‘TunaGate’ investigation for more details).

French tuna fishers were and still are in constant ‘involuntary infringement’ of European law.¹⁴ The French government’s derogations enabled them to clear their name of all responsibility while breaching the required norm. Instead of changing their unselective method of fishing and becoming more virtuous, Orthongel and the French State are still currently trying to change the European law so that it corresponds to their fraudulent and disastrous practices for marine life.

in this instance, reality surpassed fiction: the French state provided tuna lobbies with its finest French expert in tuna fishing: Ms Anne-France Mattlet, for the time it would take to complete her political mission and influence the European Union regulation to the advantage of industrial fishers.

If the mission succeeds, France and the tuna lobbies will win on two counts: on the one hand, a change of European law would render the infringement procedure opened by the European Commission against France null and void, and on the other hand, it would legitimize years of illegal fishing by French industrial, while transforming their illegal practices into a new regulatory European framework.

¹¹ <https://bloomassociation.org/conflits-dinterets-et-destruction-environnementale-bloom-et-anticor-alertent/>

¹² Rattle (2020) Disponible à : <https://www.bluemarinefoundation.com/wp-content/uploads/2020/10/Failure-To-Manage-Yellowfin-Tuna-by-the-IOTC-FINAL.pdf>

¹³ <https://iotc.org/sites/default/files/documents/2022/02/IOTC-2021-CoC18-RE.pdf>

¹⁴ Orthongel’s website became « under construction » soon after we released the first part of our TunaGate.

EUROPEAN DELEGATIONS OUTSIZED AND DOMINATED BY LOBBIES

1. A chronic overrepresentation of European interests

Conscious of the porous nature of the bonds between industrial interests and public authorities in tuna fishing, we have decided to analyse the composition of delegations present at the IOTC meetings between 2002 and 2022.

Out of the 2,278 delegates from 30 countries participating in the annual IOTC meetings between 2002 and 2022, the European Union clearly aimed to deploy a huge lobbying force with its 563 delegates, or one in five (20.3% exactly). In contrast, the register of vessels authorised to fish in the IOTC zone¹⁵ only includes 109 European vessels — including 28 very large purse seiners (mean length: 89.2 m; mean tonnage: 2,787 GT) — out of the 6,204 registered vessels, or 1.8%. In terms of tonnage, these 109 vessels account for 104,005 GT out of 714,147 GT, i.e. 14.5%. **With 56.5 delegates on average in 2021-2022, the European Union is now sending one delegate per every two fishing vessels to the IOTC meetings!**

2. A stark contrast with other delegations, even Japan's

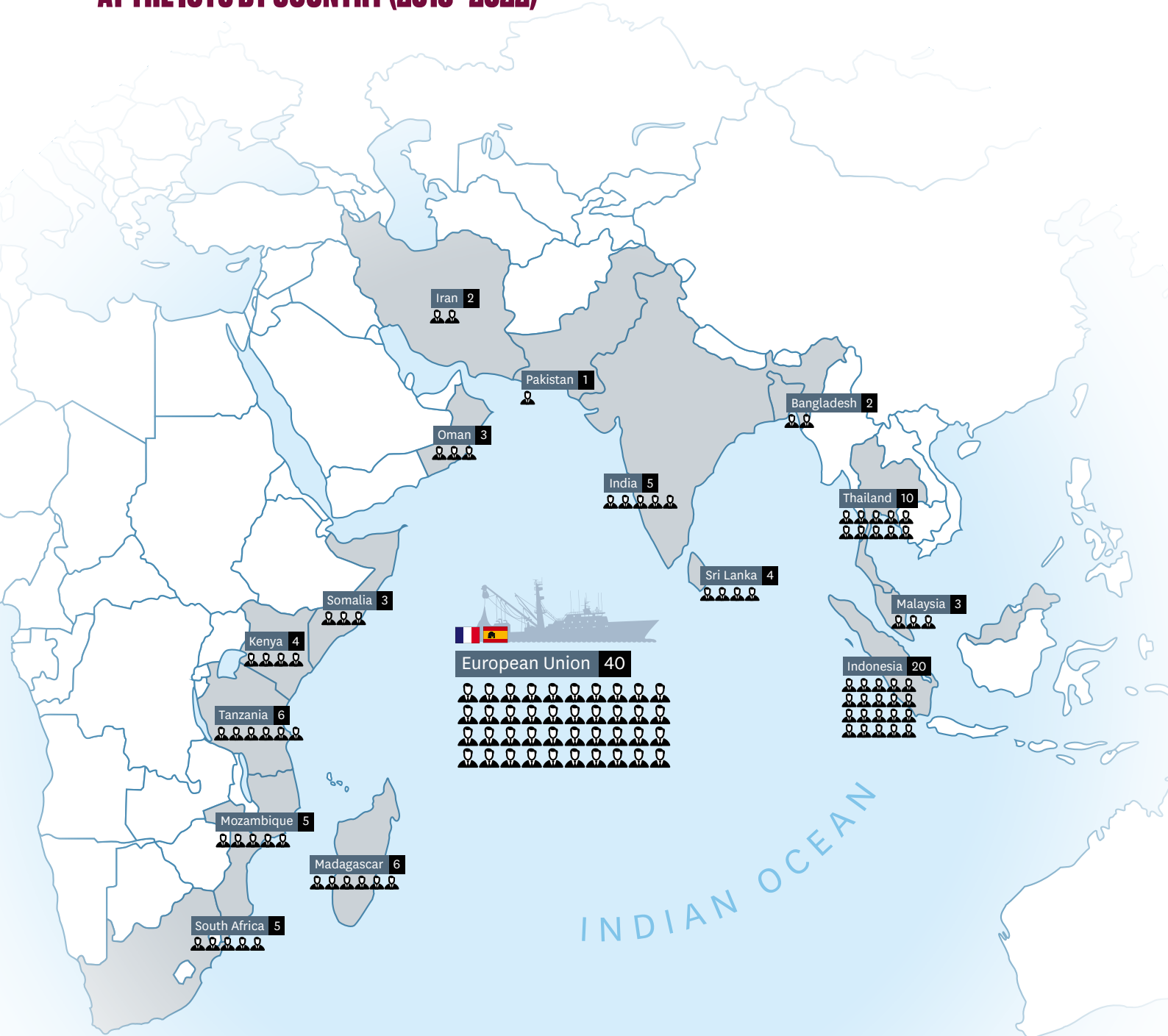
These figures contrast strongly with those of other delegations. For example, the second largest delegation in the last two years **is Indonesia, one of the world's biggest fishing nations. This country has 10 times fewer delegates by vessel than the EU**, i.e. one delegate per nineteen vessels, with 32 delegates on average for 603 much smaller registered vessels (combined tonnage of 64,278 GT). Even Japan's enormous fishing power displayed on a global scale is represented to a less impressive extent, with one delegate for just over eight vessels (23 delegates for 188 vessels; combined tonnage of 125,192 GT).

In the Indian Ocean between 2002 and 2022, the EU therefore makes up:

- 1.8% of fishing vessels but 20.3% of negotiators;
- One negotiator per two fishing vessels! In other words, there are ten times more negotiators per vessel than Indonesia, the second most significant delegation.

¹⁵ <https://iotc.org/vessels/current>

**AVERAGE NUMBER OF DELEGATES
AT THE IOTC BY COUNTRY (2016 - 2022)**



2015: THE PIVOTAL YEAR FOR BLATANT NEOCOLONIALISM

2015 was a pivotal year for tuna fishers in the Indian Ocean. On the one hand, environmental alerts on the overexploitation of tuna stocks were taken into account by the IOTC. At the same time, countries bordering the Indian Ocean pressed their requests for a better sharing of marine resources. Yet, instead of taking responsibility for the requests of fairness made by countries neighbouring the Indian Ocean, such as the reality of the overexploitation of fish, **European industrials, in collusion with the European Commission and the Member States concerned (France and Spain), organised their defence so as to not lose any of their benefits.**

1. Restrictive measures to protect the overexploited yellowfin tuna

In 2015, the IOTC notably published its assessment of the state of health of the yellowfin population and considered it overfished. Following this negative evaluation, in 2016 the Resolution 16/01 of the IOTC established an interim rebuilding plan for the yellowfin population. **While waiting for this environmental measure, the French industrials obtained a circular from the Directorate of Fisheries and Aquaculture (*Direction des Pêches et de l'Aquaculture*, or DPMA) in July 2015, allowing them to continue overfishing and mis-reporting yellowfin tuna despite the forthcoming restrictions and the regulatory framework in force for all European vessels.** This arrangement (contrary to European law and now under attack by both BLOOM and the European Commission), guarantees them the possibility to apply the 'margin of tolerance' only to their total volume of catches "per fishing trip", and not for each species. This flexibility with regard to 'errors' made at the time of catch reports encourages the breach of quotas and overfishing.

It was also in 2015 that the issue of limiting the number of artificial rafts used that increase the fishing pressure on wild fish stocks, 'FADs' (Fish Aggregating Devices), as well as the issue of the transparency of data concerning them, became important.

2. Europeans block a fairer distribution of resources

In 2015, discussions initiated in 2011 on the allocation of future fishing quotas among IOTC members escalated. Certain Indian Ocean coastal states called for a better protection of tuna populations and a fair access to resources, which was not to the liking of European industrials. Without a quota allocation key, it is indeed futile to imagine an efficient management of catches and quotas and thus to stop overfishing. **Since 2011, two sides have been at odds: on the one hand, the countries bordering the Indian Ocean, who consider that what is fished in their waters belongs to them, and on the other, the Europeans, who consider that everything that they have fished historically belongs to them**, whether that may be in the high seas or regional coastal nations' Exclusive Economic Zones (EEZ), **and that these 'precedents' constitute the legitimate base of their unshakeable presence in African waters.**¹⁶ They have been challenged on numerous occasions to provide a legal basis for this position, but have consistently sidestepped the question.¹⁷

3. A doubling in the size of delegations

It is no surprise, then, to see a radical change of dynamic from the side of the European Union from 2015, with a total lock on negotiations which risked putting regional European domination in jeopardy: **the EU doubled the size of its delegations – from an average of 22 between 2002 and 2015, to 40 since – and let the lobbies take the lead on negotiations** — working hand in hand, with daily meetings during IOTC sessions — while drastically increasing the number of industrial lobbies within the delegations.

¹⁶ Sinan et al. (2022) Available at: <https://doi.org/10.3389/fhumd.2022.1044321>

¹⁷ http://www.iotc.org/sites/default/files/documents/2017/10/Comments_on_Pro-pN_Rev1E.pdf.

4. Skyrocketing numbers of industrial lobbyists

Our analysis shows that the European delegation was historically composed of a **very large proportion of industrial lobbyists. They represented 35.7% of the total delegation for the period spanning 2002 to 2015.**

Between 2002 and 2015, the EU delegation was composed as follows (by decreasing order of importance):

- 154 (53.8%) public authority representatives (officials from European institutions and Member States)
- **102 (35.7%) lobbyists**
- 26 (9.1%) scientists
- 4 (1.4%) consultants and various representatives

After 2015, this ratio shot up and dominated the delegation: the lobbyists were henceforth more numerous than the public authority representatives! The industrials represented 46.6% of the total delegation in the period from 2016 to 2022, while public authority representatives only represented 43%.

Between 2016 and 2022 the EU delegation was composed as follows (by decreasing order of importance):

- **129 (46.6%) lobbyists**
- 119 (43%) public authority representatives
- 22 (7.9%) scientists
- 7 (2.5%) consultants and various representatives

Since 2015, we have been witnessing a worrying inversion of the composition of European negotiating delegations. While from 2002 to 2015, there was *only* 0.7 lobbyist for every public authority representative, this ratio has passed to almost 1.1 lobbyist per public authority representative from 2016 to 2022. In the last five years (2018-2022), it is even more sizeable with more than 1.22 lobbyist per public authority representative. **The public authorities seem to have given up the game and are even accepting to take a back seat to the lobbies.**

5. The culmination of public-private decompartmentalisation: the best-known French industrial lobbyist replaces the public authority

In 2019, the culmination of decompartmentalisation between the general interest and sectorial interests was reached by the French delegation which was headed, logically, by the official in charge of tuna fleets, Anne-France Mattlet, but whose 'alternate' was none other than the most well-known industrial lobbyist in France: Marc Ghiglia, General Delegate of the powerful and omnipresent lobby UAPF (*Union des armateurs à la pêche de France* or 'Union of French fishing vessel owners')! This meant, in practical terms, that if Ms Mattlet had been unable to fulfil her role as head of delegation, it is the main representative of the industrialists who would have officially sat on behalf of France to negotiate the conditions of tuna fishing! *"Never served better than by yourself"* goes the saying.

FRANCE(OT)
Head of Delegation
 Ms. Anne-France Mattlet
 Direction des pêches maritimes et de l'aquaculture
anne-france.mattlet@agriculture.gouv.fr

Alternate
 Mr. Marc Ghiglia
 Union des armateurs de pêche français
mg@uapf.org

It is important to note that among Marc Ghiglia's numerous functions, he appears as the vice president of the European industrial fishing lobby 'Europêche', which became the employer of Ms Mattlet in April 2022.

SECRETIVE YET EVER-PRESENT, THE FRENCH INDUSTRIAL LOBBY "UAPF"

1. A fortress of opacity

Anchored in the political landscape of French fishing for decades, present in all national or international gatherings that could be of interest or pose a threat to France's largest shipowners, this employers' union for large-scale industrial fishing is completely opaque. **Until February 2022, the UAPF did not even have a website.** Up until then, internet searches systematically referred to another UAPF: the "unité d'accueil et de psychothérapie familiale" (or "family accommodation and psychotherapy unit")!

In its single available annual report,¹⁸ the UAPF highlights the fact that it holds a seat in numerous professional organizations, in particular within FranceAgriMer and in at least three bodies of the National Committee for Maritime Fisheries (CNPMEF), which dictates the course of the French fishing industry!

The UAPF is also a member of Europêche, the main European lobby for industrial fishing, of which Marc Ghiglia, General Delegate, is also Vice-President.

In addition, the UAPF sits on many advisory bodies, such as the European "advisory committees", intended to provide advice and expertise to the European Commission, as well as on a number of other structures, such as regional fisheries management organizations (RFMOs) like the IOTC.

2. A proclaimed fight against NGOs and the environment

The general delegate of the UAPF, **Marc Ghiglia, is a relentless advocate of industrial fishing and a vocal opponent of environmentalism, artisanal fishers and NGOs**, which the UAPF fully acknowledges on its website by listing among its objectives the "fight against environmental lobbies".

3. Ever-present, but on whose behalf?

Despite the unavoidable presence of the UAPF in everything that closely or remotely relates to the interests of industrial fishing, its members remain in complete darkness: the UAPF has never reported on the companies it represents, even when they were explicitly asked for transparent disclosure of members (for example during France's "Grenelle de la mer" multi-stakeholder meetings on ocean governance). We subsequently investigated in order to compile a non-exhaustive list that would give an idea of the most active and visible members of the UAPF. We used the European fleet register to identify the 50 largest vessels in the French fleet by tonnage and cross-referenced the names of their managers with the names of clearly active members (president, treasurer, etc.) listed on the UAPF website. We were thus able to establish that at least 40 of the 50 largest French vessels belong to companies that are members of the UAPF.

4. The disingenuous support of small-scale fishing

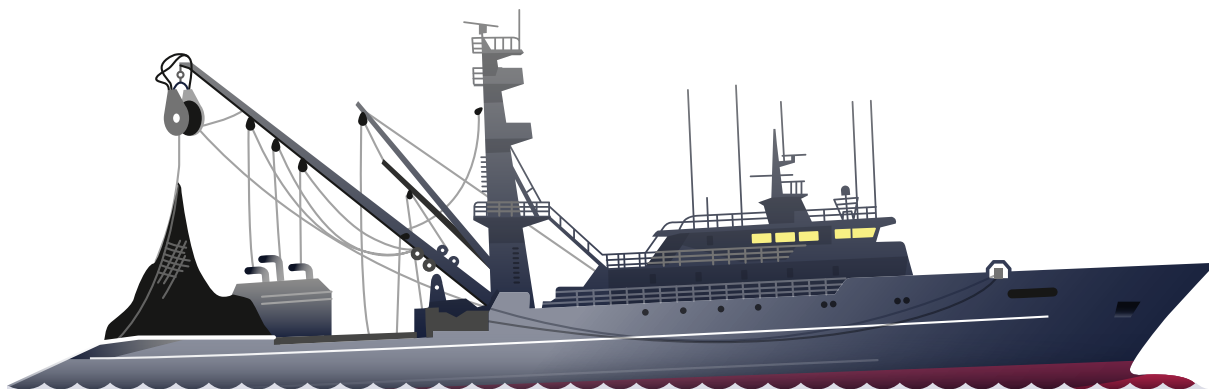
The UAPF showcases a range of vessels, boasting on its website of "[80 enterprises, 145 affiliated vessels, between 8.70 and 90.56 meters in size", but the small vessels are probably only mentioned to give a stamp of respectability to the UAPF, which has never been heard, in any assembly whatsoever, defending the interests of small-scale fishing. Facts clearly contradict this stance put on just for show: the powerful industrial fishing companies are given priority in the UAPF organization chart and on its website.

The most active members of the UAPF, among the 50 largest French vessels:

→ 13 vessels (average length of 75 m) belong to the Compagnie française du thon océanique (CFTO), 4 (average length of 89 m) to Sapmer and 4 (average length of 76 m) to Via Océan/Saupiquet. These three companies form the tuna lobby ORTHONGEL, whose current president, Xavier Leduc, is also president of the UAPF. Adrien de Chomereau, CEO of Sapmer, is also Vice-President of UAPF. In addition, CFTO and Sapmer vessels are used as illustrations in the UAPF activity report;¹⁹

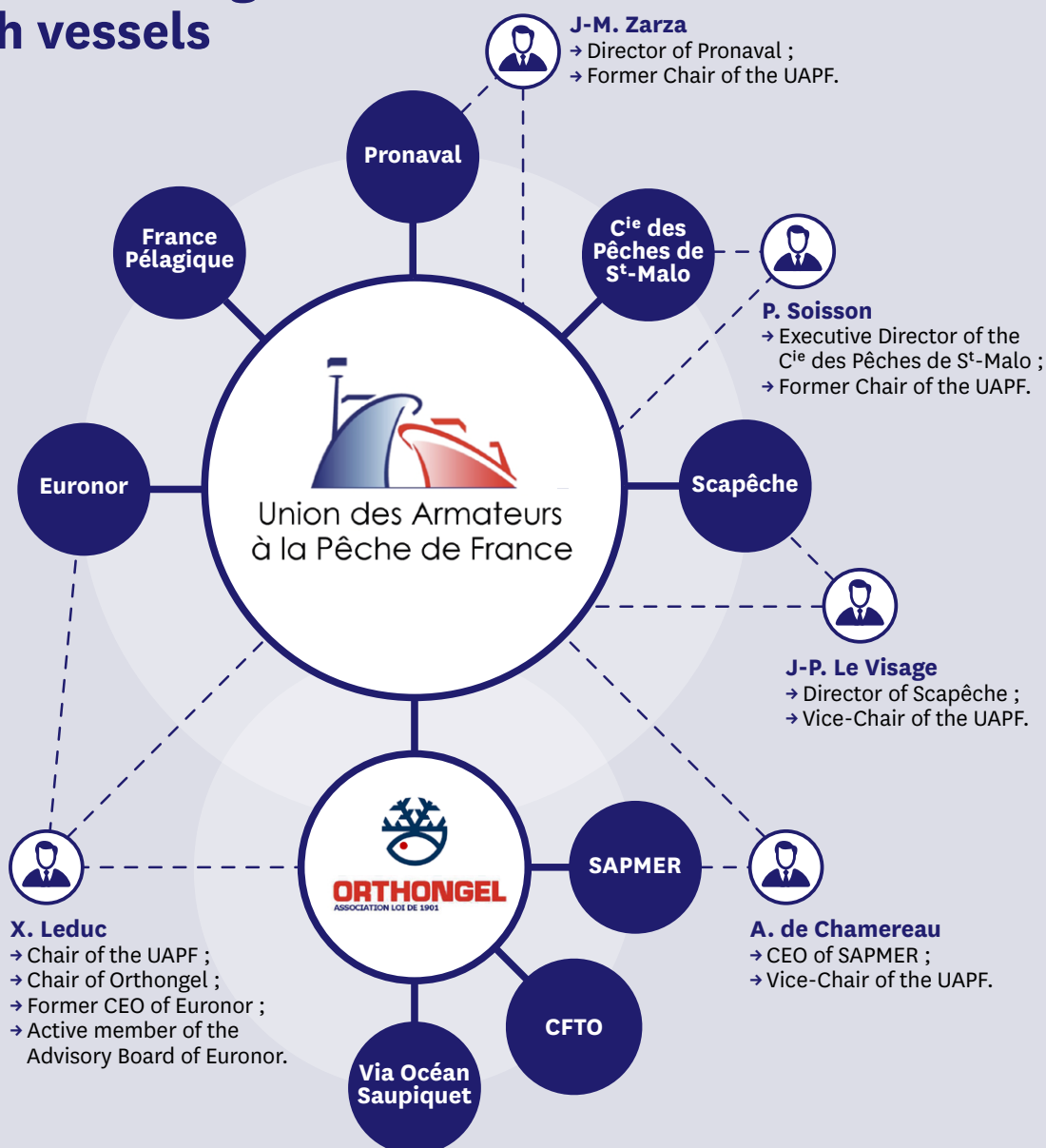
¹⁸ Report in French, available at: <https://uapf.org/wp-content/uploads/2022/06/Rapport-dActivite-UAPF-2021-2022.pdf>

¹⁹ The AVEL VAD (belonging to CFTO) on page 4 and the ALBIUS (belonging to Sapmer) page 5.



THE UAPF 'GALAXY'

40 of the 50 largest French vessels



- 5 vessels (average length of 42m) belong to Euronor, of which Xavier Leduc, President of the UAPF, was the former general manager and is still an active member of its supervisory board;
- 8 vessels (average length of 37m) belong to Scapêche, a subsidiary of the Les Mousquetaires/Intermarché group, whose current director, Jean-Pierre Le Visage, is also vice-president of the UAPF;
- 2 vessels (average length 36m) belong to Pronaval, a ship manager active in the United Kingdom and Ireland, whose Director, Jean-Marie Zarza, has chaired UAPF in the past;²⁰
- 2 vessels (average length of 85m) belong to the Compagnie des pêches de Saint-Malo, whose General Manager Patrick Soisson was also President of the UAPF;²¹
- Finally, 2 vessels (average length of 85m) belong to France Pelagique, one of which appears as an illustration in the UAPF activity report.

To this list of UAPF members among the 50 largest French vessels in terms of tonnage, other industrial shipowners can be added:

- La Houle, whose director is also treasurer of the UAPF. This company currently operates a fleet of 9 bottom trawlers, with a length of 22 to 24 meters;
- Armement Bigouden, of which some vessels are used as illustrations, notably on the home page of the UAPF site. This company currently operates a fleet of 11 bottom trawlers, ranging in length from 22.5 to 25 meters;
- Le Garrec, whose Manager, Arnaud Legay, is listed as a member of the UAPF in a 2022 decree.²² According to its website, Le Garrec has a fleet of 21 vessels,²³ including the Cap Kersaint which targets toothfish in southern waters (59.5 m in length), the Cap Jean and the Cap Marie (average length of 26 m), which are active in the waters of St. Pierre and Miquelon, the 14 "coquillards" (i.e. scallop dredgers) of the Favrou company, and the demersal seiners of the Scopale company, with an average length of 20 m.

Thus, we were able to identify 81 (or 56%) out of the 145 member vessels announced by the UAPF, based almost exclusively on the persons listed as having a mandate within the UAPF, or on the photos used on the website and in the UAPF's only annual report.

5. A lobby at the service of foreign, especially Dutch, industrialists

A review of the capital links of companies identified as members of the UAPF confirms the obvious: this lobby is clearly operating in the service of the largest European industrialists. Among the companies mentioned above, only Scapêche, Sapmer and Armement Bigouden are entirely French. All the others are either wholly or partly owned by foreign capital:

- Euronor is owned by UK Fisheries, a joint venture with Icelandic (Samherji) and Dutch (Parlevliet & van der Plas) capital;
- The Compagnie française du thon océanique (CFTO) = Dutch capital (Parlevliet & van der Plas);
- Via-Océan = Italian and Dutch capital (Bolton);
- La Houle = Irish capital;
- France Pélagique = Dutch capital (Cornelis Vrolijk);
- The Compagnie des pêches de Saint-Malo = Dutch capital (Cornelis Vrolijk);
- Etc.

6. The UAPF: a demonstration of lobbies gone adrift

The UAPF embodies all problems related to the overrepresentation and damaging power of industrial lobbies on the conduct of public affairs. Concealed yet omnipresent, the UAPF infiltrates power with such constancy and efficiency that its key lobbyist, Marc Ghiglia, has even come to replace the French government in official delegations during tuna negotiations in Africa.

As such, the UAPF lobby is a prime example of the aberrant power of industrial lobbies and their toxic role on common goods, the environment, the climate and the equitable distribution of resources. The power that lobbies have gained has been granted and coordinated with the full support of public authorities, which are co-responsible for these institutions' ethical collapse.

²⁰ <https://lemarin.ouest-france.fr/articles/detail/items/yvon-riva-nouveau-president-des-armateurs-a-la-peche.html>

²¹ https://www.ecologie.gouv.fr/sites/default/files/accord_peche_formation_professionnelle_26_mai_2011-2.pdf

²² <https://www.legifrance.gouv.fr/jorf/id/JORF-TEXT000046441698>

²³ <https://legarrec.fr/#nos-activites>

THE INFILTRATION OF EUROPEAN LOBBYISTS WITHIN AFRICAN DELEGATIONS

Having gained the upper hand in the European Union delegations, the European industrial lobbies also were able to make their way into delegations outside the EU, mainly in the Seychelles and Mauritius, where many tuna seiners under French and Spanish capital are based.

These infiltrated delegates are not strictly restricted to the EU, as a handful of non-EU examples were found, but in proportions in no way comparable to that of the EU. For instance, one of Madagascar's delegates in 2019 was Mr. Laurent Parenté, affiliated to the Republic of Vanuatu (whose delegation he actually headed in 2011 and 2013). The same year, as Madagascar's spokesperson during negotiations on FADs, Mr. Parenté feistily opposed any reduction in FADs, and even any reporting obligations, even though Madagascar's real interests clearly lie in the opposite.

Once again, this trend appears to have started in 2015, a year obviously identified by industrial tuna fishers as the year of all dangers. While they were absent from non-EU delegations throughout the 2002-2015 time period, our analysis counts 22 European lobbyists over the 2016-2022 time period:

- 7 lobbyists from the Spanish company Echebastar;
- 6 from the Spanish company Inpesca;
- 4 from the French company Sapmer;
- 3 from the Spanish company Albacora, the family business of Javier Garat, the powerful President of Europêche;
- 2 from the Spanish equivalent of the French tuna syndicate Orthongel, OPAGAC.

However, the reality is much worse, since the figures we give here only consider the lobbyists directly representing the fishing companies themselves. Other interests which can be described as 'shared' are also present in the delegations of Seychelles and Mauritius and thus accentuate this trend. This is the case of Thai Union, Princes, or IBL Group²⁴ (i.e., the owners of the processing factories that depend heavily on European tuna and are based in Seychelles and Mauritius) or Zamakona Yards, a shipbuilder involved in the production of Spanish tuna seiners.

We posit that this trend will only accentuate in the coming years, as IOTC negotiations will intensify. In particular, as a response to the EU being subject to a 20% reduction in yellowfin catch, Spain is blatantly avoiding this constraint by furthering its reflagging policy in new countries, namely Tanzania and Oman; the latter having also commissioned two tuna purse seiners to the aforementioned Spanish yard Zamakona, so it would not be surprising to start witnessing delegations from Tanzania and Oman with Spanish lobbyists in forthcoming IOTC meetings.

As the EU endorsed IOTC Resolution 21/01, it is subject to a 20% reduction in yellowfin catch. Countries that have not endorsed the Resolution are subject to a lower reduction, and countries that have opposed it — including Oman — are not subject to any reduction. In March 2022, Spanish Member of the European Parliament Ms. Izaskun Bilbao Barandica — whose voting record shows a close proximity with industrial fishing lobbies — asked the European Commission in a perilous pirouette *"how does the Commission intend to defend the position of the European fleet in the Atlantic and Indian oceans vis-à-vis countries flagging new tuna freezer vessels while ignoring the resolutions and recommendations adopted by regional fisheries organisations?"*.²⁵ In other words, she is asking how the Commission intends to defend the position of the Spanish industry, vis-à-vis Spanish companies that ignore IOTC resolutions by reflagging its vessels in Oman...

A mapping of stakeholders shows that a handful of lobbyists, always the same ones, represent a very limited number of private interests: precisely those we had already identified in the first part of our 'TunaGate' investigation. Here we outline their profile and their networks.

²⁴ IBL Group owns 40.6% of Princes Tuna (Mauritius) Limited, according to 2023 ORBIS data.

²⁵ https://www.europarl.europa.eu/doceo/document/E-9-2022-001001_EN.html

ASCENDANCY AND ANTI-ECOLOGICAL HARASSMENT

The colossal lobbying force that the EU has deployed in the Indian Ocean in the last two decades speaks volume of the importance of this area for its purse seine fleets, which makes over half of its tuna catch in the region. But the strategy that EU lobbyists and public authorities alike have — hand in hand — put in place and that we describe in this document is only part of the story, as both groups aggressively respond to any attack threatening their financial interests, using economic and legal pressure.

A prime example is the Maldives, one of the most pro-active countries within the IOTC pushing for the implementation of strong conservation measures, which has in turn been under investigation under the IUU Regulation by the EU since 2015.²⁶ Based on the facts and figures exposed here, this comes up as a shocking bullying strategy, given that Maldivian tuna fisheries — targeting tuna one by one using pole-and-line — are widely acknowledged as among the most sustainable, lights years away from the destructive FAD-intensive EU purse seine fisheries. But the irony does not stop here, given that the Maldives is also subject to a 20-24% duty to access the EU market,

whereas the tuna caught by French and Spanish purse seiners operating thousands of FADs are exported with zero duty in Europe, being processed in the Seychelles and Mauritius, two countries that benefit from a duty-free agreement with the EU. Another example is that of Kenya, which has in recent years pushed for strong regulations on FADs. Last year, it even tried to table a Resolution to the IOTC, but it was registered 20 minutes too late and the EU vividly opposed it being tabled. In an unlikely serendipitous manner, the EU then temporarily halted funding Kenya's blue economy plan...

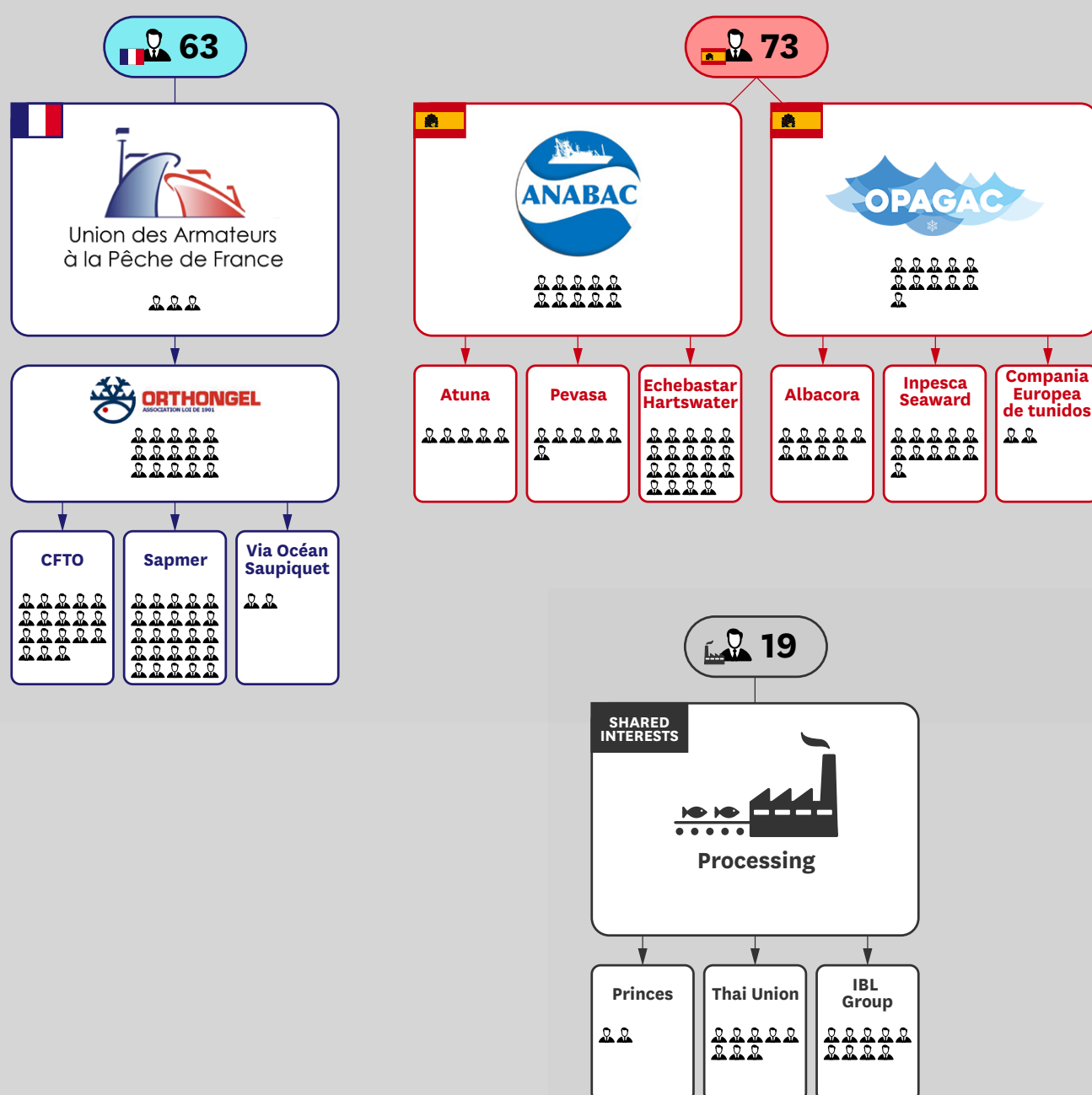
NGOs are also targeted when being too vocal against EU industrial fishing interests, as our UK partner Blue Marine Foundation (BMF) can testify. In May 2022, BMF showed some illegal activities by Spanish vessels, and *Europêche* immediately threatened “*to mission a law firm to answer to Blue Marine Foundation’s defamation if they do not take back their accusations*”.²⁷ BLOOM, too, is familiar with such practices, with regular threats and ridiculous accusations such as being funded by oil companies in attempts to draw attention away.

²⁶ <https://edition.mv/news/15217>

²⁷ <https://europeche.chil.me/post/europeche-tuna-group-slams-report-accusing-the-eu-fleet-of-illegal-fishing-in-th-396767>

MAP OF THE SMALL YET POWERFUL FRENCH AND SPANISH TUNA INDUSTRIES

→ Map of direct interests representing European tuna seiners and companies that share interests with them in the IOTC delegations between 2016 and 2022.



TUNA FISHERIES IN THE INDIAN OCEAN

Unlike the century-old coastal artisanal fisheries, **foreign fleets targeting tropical tunas have only been present in the Indian Ocean for about 70 years**, as this region was previously considered too remote by Japanese and European fishing fleets.

Japanese longliners were the first industrial vessels to explore the area as early as 1952; they continued to develop throughout the 1950s and 1960s, along with other incoming Asian countries such as South Korea, Taiwan and China. Most of the Indian Ocean was exploited by the early 1970s.

These Asian longliners underwent massive technological improvements in the mid-1960s and early 1970s, which allowed them to switch from fishing skipjack and albacore tuna — low value and destined for canning — to yellowfin and bigeye tuna — high value and destined for the fresh sashimi market.

Another major change occurred in the early 1980s with the arrival of French and Spanish purse seiners. These vessels

left their historical fishing grounds in the Atlantic Ocean due to the decrease in catches, and drawn by promising exploratory fisheries.

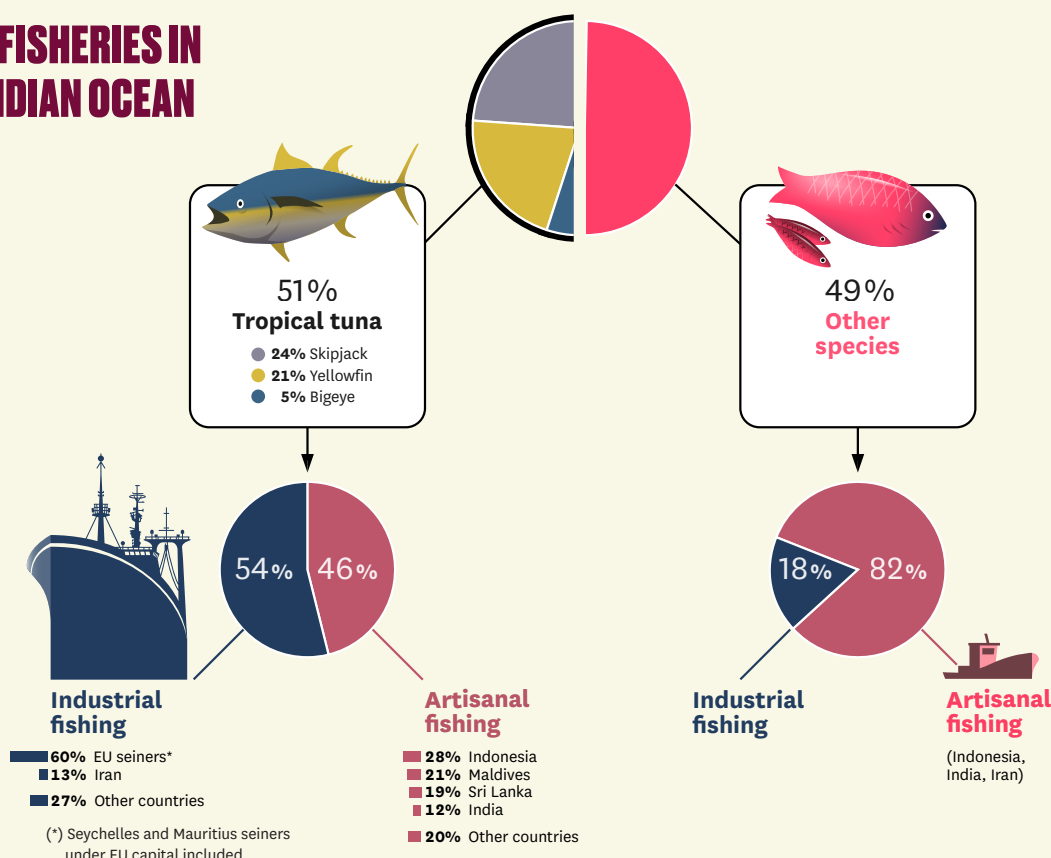
The tuna purse seine fishery is seasonal, with vessels moving clockwise from the eastern part of Seychelles during the early months of the year, to the Mozambique Channel from March to July, and then to the northern end of the western Indian Ocean until the later months of the year.

During the 2010-2020 period, the combined catches of the three tropical tuna species of skipjack (*Katsuwonus pelamis*), yellowfin (*Thunnus albacares*) and bigeye (*T. obesus*) were almost identical for artisanal fleets (dominated by Indonesia, the Maldives, Sri Lanka, and India) and industrial fleets, which are overwhelmingly dominated by European purse seiners.

All other species caught (minor species of tuna, billfishes, swordfish, sharks, etc.) in the area are caught almost exclusively by artisanal fishing fleets.

TUNA FISHERIES IN THE INDIAN OCEAN

(IOTC)



IN CONCLUSION

A disgraceful display of European neocolonialism that goes against our development aid policies.

Far from respecting its own objectives of sustainable management of marine resources as defined in the Common Fisheries Policy²⁸, **the European Union, in agreement with its industrial fishing fleets — to which it has now given a dominant place — contributes to the overexploitation of marine resources as well as to the degradation of the climate and health of the Indian Ocean.**

While scientific evidence has shown that industrial fisheries such as tropical tuna in the Indian Ocean are neither profitable,²⁹ nor a matter of food security,³⁰ **the EU's external policy in the Indian Ocean is a complete failure from the point of view of marine conservation:** the EU opposes urgent measures to protect tuna populations and marine biodiversity as a whole by rejecting the very principle of drastically reducing fish aggregating devices. Within the EU, France is circumventing European rules to allow its tuna fleets to break the law, but any successful efforts by France to undermine the European regulatory framework would of course also be of great benefit to the Spanish industry.

In 2010, researchers evaluated the various regional fisheries management organizations at the global level — including the Indian Ocean Tuna Commission — and their conclusion was clear: these organizations were overall failing their stated mission to preserve high seas marine species.³¹ At the time, the Indian Ocean Tuna Commission was considered a relatively good example, but the situation has since deteriorated for the species it regulates, and the European Union has a lot to do with it: yellowfin tuna was classified as overfished in 2015, bigeye tuna joined it in 2022, and skipjack tuna has never been fished at such a high level as in 2022, way beyond the harvest control limit advised by scientists (680,000 tonnes caught vs. the 513,000 that were recommended). With the next stock assessment coming up this year for the latter species, it is difficult to remain optimistic.

The EU's external policy in the Indian Ocean is likewise an abject failure from a social and economic standpoint. A simple analysis of the European Union delegations in African tuna negotiations has revealed the harmful tactics boldly deployed by the European Commission as well as Spanish and French industrial tuna fishers: blocking discussions on a better distribution of resources, refusing to consider a shift to a quota system not based on historical catches, fighting against too much control or transparency of fish aggregating devices etc.

Transparency of these organizations is a vital requirement for the protection of common goods and the climate, and this is where the problem lies. Although some transparency has been implemented, for example regarding the publication of catch data, their annual reports³², or the inclusion of developing coastal countries, transparency regarding negotiating positions and interests defended remains non-existent, leading to situations of deadlock such as we are currently experiencing in the Indian Ocean. **For as long as lobbyists can take part in negotiations in complete impunity, or even have official roles within delegations, the problems raised here will remain unsolvable. Defending the environment and a better, fairer use of wild resources will take a complete overhaul of the current system, as public institutions have shown to completely fail their mission.**

²⁸ <https://eur-lex.europa.eu/legal-content/FR/TXT/PDF/?uri=CELEX:32013R1380&from=LV>

²⁹ Sala et al. (2021) Available at: <https://doi.org/10.1038/s41586-021-03371-z>

³⁰ Schiller et al. (2018) Available at: <https://doi.org/10.1126/sciadv.aat8351>

³¹ Cullis-Suzuki and Pauly (2010) Available at: <https://doi.org/10.1016/j.marpol.2010.03.002>

³² Fischer (2022) Available at: <https://doi.org/10.1016/j.marpol.2020.104106>

³³ Haas et al. (2019) Available at: <https://doi.org/10.1093/icesjms/fszo88>



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