



EU-Thailand Newsletter

May 2023/ Vol. 2

Tuna fishing, a sticking point between the EU and Indian Ocean countries

The Indian Ocean Tuna Commission (IOTC), the 30-member organisation – including the EU and Thailand – responsible for the management of tuna and tuna-like species in the Indian Ocean, adopted in February a proposal driven by Indonesia **imposing a yearly 72-day moratorium on the use of fish aggregating devices (FADs) and a limitation on the number of devices that can be used.** These sophisticated devices, largely used by EU countries, are believed both to pollute marine ecosystems, and to be **responsible for the overfishing of juvenile yellowfin and bigeye tuna.** While the decision was supported by two thirds of IOTC members, **it is not mandatory for those who voted against – including the EU – meaning it will have a minimum benefit.**

However, the EU is aware of the damage this threatens to its image as a sustainable and responsible actor. It has attempted to mitigate this with **a counterproposal** presented in April to ditch the 72-day ban in favour of **tasking the IOTC Scientific Committee with a scientific assessment** by the end of the year on whether and how these devices contribute to higher juvenile tuna mortality.

The EU defends and protects its fishing interests in the Indian Ocean via its **Sustainable Fisheries Partnership Agreements**, which allow EU countries – mostly Spain and France – to fish in the partner countries' waters while supposedly ensuring environmental sustainability, local economic development, and human rights. There are ongoing agreements on tuna fishing with Mauritius and Seychelles worth €6 million, as well as expired ones with Comoros, Madagascar and Mozambique. **Blue economy partnerships** with Kenya and Tanzania also include fisheries.

Thailand is one of the countries that suffers most from tuna overfishing, as it is becoming increasingly difficult to meet the demand of its canning industry – it produces close to 25% of the world's canned tuna. **Bangkok should highlight this issue as an area of concern early in its FTA negotiations with the EU.** Fisheries, altogether with deforestation, will likely become two of the main divergence areas in these negotiations. Offensive interests in the former balance defensive interests in the latter in the sustainability chapters of the FTA.

EP takes on early obsolescence to empower consumers

The European Parliament (EP) adopted on 10 May its position on the Commission's proposal to empower consumers for the green transition. The proposal, which will now be the subject of negotiations between the EP and the Council, focusses on the **durability and reparability of products and services** and prohibits the issue of carbon offset certificates without clear



scientific backing. It introduces a **new mandatory guarantee label** that will display the legal 2-year guarantee of conformity as well as a new, voluntary extension of a further two years with a 'commercial guarantee of durability.' Products with the extended guarantee will have a '2+2' label, with the rest labelled '2+0.' The **EP wants to strengthen the proposal by including provisions on dual quality of products – goods of the same brand name with different quality – and dark patterns** – techniques used online to manipulate users into taking actions or making choices that are not in their best interest. However, the Commission argues these issues are addressed or will be addressed in other legislation¹.

This will **impact a wide variety of consumer products, many produced in Thailand**. Goods affected by this legislation include telecommunications, computer and peripheral equipment, audio and video equipment or electronic components and parts, which represent close to 40% of Thailand's exports to the EU².

EP to address packaging and packaging waste but divided in the approach

Plastic consumption in the EU is expected to increase significantly in the next two decades. To tackle this, the Commission proposed a regulation on Packaging and Packaging Waste that seeks to **make all packaging recyclable in an economic viable way by 2030**. The EP is currently debating its position but there is already evidence of substantial divergences on reuse targets and the role of paper and bioplastics.

Centre and right political groups called for **dumping reuse targets** – such as 20% of takeaway drinks sales to be in reusable or refillable packaging by 2030 and 80% by 2040 – amid fears that such targets could increase plastic use rather than reducing waste, while the **centre-left defended the Commission's goals**. As regards the role of paper in sustainable packaging, the cleavage was geographical rather than ideological. **Nordic countries with large forestry resources called for increasing the use of paper**, whereas other MEPs were concerned about deforestation. The one area of **consensus was the importance of sustainable bioplastics** for achieving these goals.

MEPs will adopt their position by October before negotiations open with the Council.

* * * * *

EU-Thailand Newsletter by the Royal Thai Embassy, Brussels and Mission of Thailand to the European Union, in collaboration with Polint, as part of the Embassy's Intelligence Monitoring and Early-Warning Unit (IMEU) Project.

¹ Dual quality of products is addressed in the Revised Unfair Commercial Practices Directive (2019/2161) and dark patterns will be examined in the EU fitness check on digital fairness expected for the second quarter of 2024.

² https://webgate.ec.europa.eu/isdb_results/factsheets/country/details_thailand_en.pdf