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CC: Mr. Felix Leinemann

Date: 20 March 2025

PelAC reference: 2425PAC23

Subject: Call for evidence on Shaping the European Oceans Pact - PelAC response

Dear Ms. Charlina Vitcheva,

Please find attached the Pelagic Advisory Council's response to the Oceans Pact Call for Evidence.

We thank you in advance for your prompt attention to this matter. We would welcome the opportunity to discuss it further with your services in a meeting, along with other relevant issues raised by the PelAC. We will reach out to DGMARE services to schedule a convenient time for this discussion.

Kind regards,



Esben Sverdrup-Jensen
Chair of the Pelagic Advisory Council





Call for evidence on Shaping the European Oceans Pact

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PelAC response

Introduction

Oceans face growing impacts from climate change, pollution, overfishing, illegal, unreported, and unregulated (IUU) fishing, biodiversity loss, habitat destruction, and invasive species., There is also growing pressure from competition for maritime space and resources. The EU has been actively promoting the integration of maritime policies since the publication of the Integrated Maritime Policy in October 2007, the publication of the Maritime Spatial Planning Directive in July 2014 and the new approach for a sustainable blue economy in the EU Communication published in May 2021. *More recently, the EU has published the marine Action Plan Communication, approved the Nature Restoration Law and will look at evaluating the Marine Strategy Framework Directive published in 2008.* Apart from fisheries, for which the Commission has exclusive competence, most blue economy sectors including transport, industry competitiveness, research and innovation, environment and energy subject to modification through the ordinary legislative procedure.

Having different levels of European competence while acting in the same area creates differences in implementation and in prioritisation creating imbalances not only between maritime activities but also among marine conservation, ecosystem resilience, sustainable resource use, and food security.

At the international level, the EU is taking part in *fora* related to ocean governance. By supporting the 2030 UN Agenda for Sustainable Development and its Sustainable Development Goals and more recently signing the 2022 Kunming-Montreal Global Biodiversity Framework and the Agreement on Biological Diversity of Areas Beyond National Jurisdiction, the EU has demonstrated its commitment to ensuring the conservation and sustainable use of the oceans.

The European Ocean Pact must aim at providing a single reference framework for all oceans-related policy actions at European level. The Oceans Pact must be the catalyst that brings all parts of blue economy sectors to work as one to ensure marine conservation, ecosystem resilience, sustainable resource use, and food security.. This document underlines what needs to be undertaken to ensure that Oceans Pact successfully provides coherence and inclusivity between all Ocean-related sectors, focusing on fisheries.





Coherence with the CFP evaluation in a new northeast Atlantic fisheries governance scenario

On the 20th of June 2024, the Commission launched a call for evidence to assess the effectiveness and efficiency of the common fisheries policy (CFP). This consultation constitutes the first part of a thorough evaluation that will look at to what extent the CFP has achieved its objectives since 2013. The results of the evaluation will be published in spring 2026.

With the Publication of the Oceans Pact, aimed at coordinating all oceans-related policy actions at European level, it is key for the PelAC that in developing the European Ocean Pact, the Commission ensures it is coordinated with the evaluation of the CFP. PelAC members are of the opinion that the current CFP was adopted before recent significant changes to the overall Northeast Atlantic fisheries governance and therefore needs reform

Key issues with CFP

As a result of Brexit and a breakdown of the Coastal States agreements, there has been a shift towards the Commission negotiating directly with third countries when it comes to significant elements of EU fisheries decision making process. The governance structure established by the CFP is not adequately equipped to address this change. The 2013 reform promoted a bottom-up approach to fisheries through the adoption of regionalisation. The recent changes in Northeast Atlantic fisheries governance with the end of sharing arrangements with Coastal States coupled with Brexit led to fishing opportunities, access, technical measures, and control measures being decided in consultations with third countries. Increasingly the role and ability of stakeholders such as the ACs to input into the decision-making process has been diminished.

The latest example is the implementation of Remote Electronic Monitoring (REM) provisions in Scottish waters for pelagic vessels. The EU revised control regulation mandates REM provisions for high-risk vessels for 2028. Scottish Control authorities have approved measures mandating pelagic vessels to have REM systems onboard from the 1st of March 2026. These measures lead to having a non-EU country setting provisions that may force - the EU to implement similar systems. This example is only one of many, with EU vessels fishing in third country waters, where fishing measures with third countries are being decided with little or no stakeholder engagement.

Regarding International Oceans Governance, the PelAC has consistently underlined the issues in the failure to complete comprehensive sharing agreements in the Coastal States Consultations with Norway, UK, Faroes, Iceland for key pelagic stocks – mackerel, blue whiting and Atlanto-Scandian herring. For Northeast Atlantic mackerel¹ this has led to the persistent risk for the sustainability of this important stock due to the setting of excessive unilateral quotas by certain parties and partial agreements using these inflated quotas to pay for access.

One way to move forward is to ensure that Coastal States respect the same sustainability objectives (i.e. Fishing at or below MSY) when setting TACs and moving away from spurious arguments relating to zonal attachment and inflated track records as justification for setting higher quotas. The PelAC has requested that this be included in the Trade and Cooperation Agreement with the UK, but similar rules

¹ <https://www.pelagic-ac.org/wp-content/uploads/2024/07/2324PAC68-PelAC-Letter-to-COM-Coastal-States-sharing-status-for-the-NEA-mackerel-stock.pdf>





could be set in the European Economic Area agreement with Norway and Iceland. Additionally, the Commission proposal to update Regulation (EU) 1026/2012 to include the use of trade sanctions against third countries engaged in unsustainable fishing practices is a step in the right direction but needs to be enacted quickly and not used simply as a threat.

The evaluation of the CFP and the Oceans pact should also be used as a framework for safeguarding EU fisheries into the future and ensuring their continued economic viability. On the energy transition for example, the Oceans Pact should be used to develop an integrated Community Strategy on decarbonising the marine sector, including fisheries. This strategy should coordinate the development of new technologies, reducing the reliance on fossil fuels. This coordination between maritime sectors can also lower the amount of funding needed to test different carbon-free fuels. In that perspective, the Oceans Pact should align with the Clean Industrial Deal and the Competitiveness Compass to make sure that the maritime sectors benefit from the different initiatives that combine EU competitiveness and decarbonisation objectives.

Finally, fish welfare is an emerging issue recognized by PelAC members across industry and Other Interest Groups. Ensuring ethical and sustainable fisheries practices is essential to maintaining consumer trust and long-term industry viability.

Coherence between Ocean-related sectors

The last Commission mandate led to the adoption of the Nature Restoration Law at the EU level and at the International level of the adoption of the Kunming-Montreal Global Biodiversity Framework (GBF), and the adoption of the Agreement on Biological diversity of Areas beyond National Jurisdiction. On Offshore Renewable Energy deployment, the EU adopted the third revision of the Renewable Energy Directive setting the share of renewable energy in EU of at least 42.5% by 2030². The use of ocean space is at the heart of the implementation of these initiatives, and the Maritime Spatial Planning Directive will play a key role in organising activities at sea.

Striking a balance between marine conservation, ecosystem resilience, and sustainable resource use, restoring health to EU oceans is a key part of the 2024-2029 mandate. Achieving this requires a stronger commitment to implementing EU environmental legislation across Member States to improve the ecological status of the seas. It also requires a stronger coordination between environmental objectives and ORE deployment targets, between fishing activities and environmental protection. Balancing conservation and sustainable activities will be key to promote ecosystem and human resilience. In that perspective, the Global Biodiversity Framework (GBF) offers a valuable roadmap for these efforts. It includes 23 targets that aim to reduce threats and meet human needs while striking a balance between conservation and sustainable development within planetary boundaries.

Pelagic fish stocks rely on healthy spawning and nursery areas, many of which are increasingly threatened by pollution—both from land-based sources and ocean activities such as OREs. Safeguarding these critical habitats is essential for biodiversity but also for the long-term sustainability of fisheries. Tackling pollution must be a priority to ensure the resilience of marine ecosystems and the rebuilding of fish stocks, thus contributing to food security, and sustainable food systems

² https://energy.ec.europa.eu/topics/renewable-energy/renewable-energy-directive-targets-and-rules/renewable-energy-directive_en





Additionally, given the role of pelagic stocks in the Northeast Atlantic ecosystems, it is crucial that the EU shows leadership in integrating ecosystem considerations into fisheries science and management.

On a sidenote, opening up the revision of existing EU regulations is a difficult exercise as shown by the lengthy process that led to the revision of the Fisheries Control regulation, initially published in 2009 and revised in 2024. This has led to the accumulation of new legislative proposals that come on top of existing regulations, making it hard for fishers to assess the impact new legislations will have on fishing activities. The PelAC would like to see coherence between regulations and – when needed – updates to existing regulations in order to adapt to current challenges and promote harmonisation between them. This is of importance in the context of the new Commission mandate and the growing number of strategies published or soon to be. In that sense, the PelAC welcomes the mentions of the Ocean Pact in the Commission’s Vision for Agriculture and Food and in the Commission’s Clean Industrial Deal. Integrating GBF targets in the Oceans Pact, further implementing environmental legislation and rethinking the inclusion of stakeholders in the process will prove key to bringing coherence between Ocean-sector regulations.

New Governance model

The current approach in the EU still seems to favour expert groups set up to address one specific aspect, for example MSFD (Marine Strategy Coordination Group), the EU Biodiversity Strategy (Marine Expert Group), Maritime Spatial Planning Expert Group. These groups, which overlap one another, tend to work individually and separately. Similarly, for fisheries there is the Control Expert Group set up by DG MARE that had a tendency to work in isolation of other fisheries groups and carries out limited consultation with stakeholders.

Moving beyond a fragmented, sector-specific approach is essential to allow all Ocean stakeholders to be represented and involved in the making of legislations that will be impacting their activities. To be successful, this new approach must also be inclusive to consider the wider range of impacts of policies on employment, maritime, food security, health, values and cultural heritage. Breaking the silos is the way to go and establishing a collaborative platform or decision-making forum, connecting all Ocean-related sectors can be a way forward. Under the umbrella of MSP, discussing upcoming policies and their impact on Ocean-related sectors will improve the quality of the policy and the implementation. Building on the example of inclusive and collaborative approach of the Advisory Councils in providing consensus advice from a wide variety of stakeholders could be the way to go. Bringing together stakeholders from all Ocean-sectors is one step, but to be successful, Ocean-related administrations must coordinate at a Member States level and at Commission level.

Existing EU policies are built on best available science, however, when it comes to fisheries and oceans, current science struggles to consider the ecosystem as a whole. Moving beyond a fragmented, sector-specific approach also requires implementing Ecosystem Based Management at an EU-level across all blue economy sectors. The work initiated by the International Council for the Exploration of the Sea under its Framework for Ecosystem-Informed Science and Advice (FEISA) must be used by the Commission in streamlining EBM implementation. This should be strengthened through the allocation of resources to collect necessary data for the incorporation of ecosystem considerations into scientific assessments. Overall, the PelAC is of the opinion that the use of EBM must also facilitate the inclusion of climate change into ecosystem models and help the understanding of the ecosystem services provided by the Ocean.





Conclusion

In conclusion, the EU's commitment to ocean sustainability is evident through its comprehensive policies and international agreements. However, achieving meaningful progress requires greater coherence, integration and stakeholder collaboration.

The European Ocean Pact should serve as a catalyst for aligning blue economy sectors, ensuring that all maritime activities work harmoniously towards conservation, ecosystem resilience, and sustainable resource use. The evaluation of the Common Fisheries Policy, in conjunction with the Ocean Pact, must address current governance gaps while preparing for a sustainable future.

By fostering stronger coordination among stakeholders and integrating ecosystem-based management, the EU can lead the way in protecting our oceans while supporting the livelihoods that depend on them. This holistic approach will not only safeguard marine biodiversity but also ensure the long-term sustainability of fisheries and the broader blue economy.

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