

To the Council of the European Union

Brussels, 20 March 2024

Subject: Informal meeting of fisheries ministers - Discussion about the future of the EU fisheries and aquaculture sector, Bruges 24 - 25 March 2024

As representative of the European fishing sector, Europêche wishes to compliment the Belgian presidency with the initiative to have a discussion on the future of the EU fisheries and aquaculture sectors during the upcoming informal Council Meeting in Bruges.

In this context Europêche wishes to share its reflections and priorities for the forthcoming 2024-2029 mandate of the European Union. With the European elections scheduled for June 2024, it is crucial to outline a comprehensive agenda that addresses the challenges facing the EU fisheries sector.

Linking fisheries to EU food sovereignty

Preserving marine ecosystems is essential for sustainable fisheries. However, the current grouping of environment, oceans, and fisheries under one portfolio within the Commission fails to adequately address the balance between the pillars of sustainable development.

As a result, last year, fishers across the EU heavily protested against the ever-increasing area closures and against the Commission proposal to phase out bottom fishing. Now, fishers are joining farmers' protests against shared concerns regarding excessive EU regulations, pricing and costs pressures, and the EU support for cheap seafood imports from third countries with increasing tax derogations regardless of the fact that these imports are not subject to the same EU sustainability standards the EU fishermen have to comply with.

Europêche believes strongly that the EU needs to return to a model where primary food production is placed high in the Commission's agenda and structure, close to agriculture and separate from environment. In a political reality where the reduction of dependencies from third countries is very high on the agenda, this only makes sense. This repositioning of the fisheries mandate needs to happen already in the next mandate of the European Commission (2024-2029).

From a structural point of view, such new arrangement is logical as well, as the Treaty of the Functioning of the EU combines agriculture and fisheries as two exclusive EU policies under the same provisions. Additionally, Council of the EU meetings addressing both fisheries and agriculture matters are collectively managed through AGRIFISH meetings.

Ensuring respect and improving the functioning of the European institutions

The European Union has its own legislative process, supported by a set of institutions and bodies, whose respective powers derive from the founding Treaties. Under the EU-Treaties, the European Commission has been given the right to propose legislation ('right of initiative'), whereas lawmaking is confined to the European Parliament and the Council of ministers. Regarding the current mandate, however, the Commission has acted beyond this institutional role by carrying out direct lobbying actions targeting the European Parliament (e.g., Fisheries Control Regulation and Nature Restoration Law). The situation calls for a clear return to the actual, well-delineated institutional competences, upholding the democratic principles at the heart of the interinstitutional agreements.

Surgical revision of the Common Fisheries Policy

Certain EU fisheries policies were unworkable from its conception. Proof of that is the landing obligation. Despite continuous investments in innovation and gear selectivity, fishers have been criticized for not fully implementing a failed policy that by definition is unachievable.

The future Common Fisheries Policy (CFP) requires a fundamental shift away from rigid and unattainable targets towards ambitious but at the same time pragmatic and feasible objectives. It should strive for a better balance between socio-economic and food security considerations alongside environmental protection. It is imperative that fisheries regulations do not solely prioritize environmental goals; just as much, they should recognize fisheries as a strategic sector for our society as a sustainable (sea)food producer.

The uncertainties surrounding Brexit, preparing for the post-2026 period

The impending negotiations for the Trade and Cooperation Agreement between the EU and the UK post-2026 necessitate clear political directives. Urgent clarification is required regarding negotiating procedures, interlinking dossiers and agreements with third countries to guarantee a level playing field and safeguard the EU interests amidst shared resource exploitation in these maritime territories.

External policies – Level Playing Field

The EU cannot turn a blind eye to the fact that the EU-market's external dependency exceeds 70 % for fisheries and aquaculture products. However, paradoxically, most of EU rules adopted to regulate the EU fleet and seafood production do not apply to third country fleets and products entering the Single Market. There is a critical loophole and a lack of accountability in ensuring that global seafood imports align with the sustainability objectives championed within EU borders. What is worse, non-EU seafood, which fall short of EU standards, receive tax derogations (ATQs), making competition impossible for EU fishermen in their home market.

In this context, the next Commission should find a solution for the complex Framework for a Union Sustainable Food System (FSFS) and incorporate crucial fisheries-specific sustainability aspects. These measures should apply uniformly to all fisheries and aquaculture products available in the EU market, regardless of their origin (EU or non-EU), ensuring fair competition across the board.

The EU should step up efforts in strengthening its position in international fora (e.g.; UN, RFMO), fight against IUU and stimulating sustainable fisheries agreement (SFPAs) with third countries to reduce seafood dependency.

Following the Court of Auditors report on EU action to combat illegal fishing¹, the EU must ensure greater uniformity in the application of customs rules and identical customs controls in all Member States in order to prevent non-EU operators from using points of entry with fewer controls to import goods that do not meet EU standards.

In addition, Brexit has shaken up the governance framework of the Northeast Atlantic fisheries agreements. Against the background, it is essential that the EU redefines its core principles on how to enter into and positions itself during the bilateral, trilateral and multilateral fisheries negotiations in the Northeast Atlantic arena. The EU needs to protect and strengthen the position of the EU as a fishing coastal state in the Northeast Atlantic which allows the EU to protect the legitimate socio-economic interests and historical rights of the EU fleets active in the Northeast Atlantic. For that purpose, the EU must use its market power to influence this process and secure fair access to neighbouring waters in exchange for fair access to the EU market.

Supporting the decarbonization of the fisheries sector

The fisheries sector plays a crucial role in mitigating the effects of climate change by offering one of the healthiest animal proteins with one of the lowest carbon footprints. As a responsible industry, it must contribute to the global reduction of greenhouse gas (GHG) emissions. Achieving a full decarbonization of the sector will demand the adoption of zero-emission energy sources and the modernization of the fleet, alongside advancements in technology, logistics, and legislation.

However, as recognized by the Commissioner, the EU fisheries fund is very limited to meet these costs. Therefore, the EU needs to revise the EMFAF and to explore other sources of financing. It is also essential to put in place an EU fleet renewal plan to complete the transition to sustainable fisheries. In addition, until new propulsion technologies and carbon-neutral fuels are commercially available and the legislative framework allows for the modernization, the EU should not introduce taxes on fuel used for fishing operations.

Maritime Spatial Planning

The combined effect of restrictions to 3rd countries' waters (e.g.; Brexit, Morocco), the escalation of offshore wind farms and expanding marine protected areas (MPAs) are altering access to traditional fishing grounds and jeopardising fishing activities. These factors are precipitating an unprecedented risk of displacing fishing activities from its customary grounds, a situation that will be further exacerbated by the impacts of climate change.

Europêche calls on public authorities to respect traditional fishing grounds to guarantee food security and call for a more balanced approach in close contact with fishers to manage maritime spaces. Furthermore, in light of the unresolved environmental concerns highlighted by the Court of Auditors regarding offshore renewable energy, energy production industries should be subject to strong environmental standards, not the opposite (i.e. Nature Restoration Law), to safeguard the marine environment and guarantee fair competition between blue economy sectors.

¹ Special report 20/2022: EU action to combat illegal fishing – Control systems in place but weakened by uneven checks and sanctions by Member States

Social dimension of the CFP

As part of its mission letter, the current Commissioner was mandated to evaluate the CFP and identify how to address issues not sufficiently covered in the current policy, such as the social dimension. Many gaps remain that need to be urgently tackled to ensure legislative consistency between measures to conserve marine biological resources and standards of maritime safety and working conditions. Furthermore, fisheries policies need to revert the worrying downward trend in terms of number of vessels and employment.

A new methodology for policy-making, truly incorporating socio-economic impact evaluations, and closer coordination between public administrations are necessary to bridge existing gaps.

Furthermore, the EU needs to revise the definition of fishing capacity in the CFP and exclude areas set aside for relaxation, comfort and recreation from the calculation.