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DRAFT REPORT

on the EU Action Plan: protecting and restoring marine ecosystems for
sustainable and resilient fisheries
(2023/2124(INI))

Committee on Fisheries

Rapporteur: Niclas Herbst

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MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

on the EU Action Plan: protecting and restoring marine ecosystems for sustainable and resilient fisheries (2023/2124(INI))

The European Parliament,

- having regard to the Commission communication of 21 February 2023 entitled ‘EU Action Plan: Protecting and restoring marine ecosystems for sustainable and resilient fisheries’ (COM(2023)0102),
- having regard to the opinion of the European Economic and Social Committee of 12 July 2023 entitled ‘Action plan to conserve fisheries resources and protect marine ecosystems’,
- having regard to the Treaty on the Functioning of the European Union, and, in particular, Article 39 thereof on ensuring a fair standard of living for the agricultural and fishing communities, and Article 5 on the principle of proportionality,
- having regard to the Paris Agreement of 12 December 2015 and, in particular, Article 2(1)(b) thereof on adapting to the adverse impacts of climate change in a manner that does not threaten food production,
- having regard to its resolution of 27 April 2021 on chemical residues in the Baltic Sea, based on Petitions Nos 1328/2019 and 0406/2020¹,
- having regard to Regulation (EU) 2016/2336 of the European Parliament and of the Council of 14 December 2016 establishing specific conditions for fishing for deep-sea stocks in the north-east Atlantic and provisions for fishing in international waters of the north-east Atlantic and repealing Council Regulation (EC) No 2347/2002²,
- having regard to the positions of the Member States presented at the Agriculture and Fisheries Council of 20 March 2023,
- having regard to the Council conclusions of 26 June 2023 on the fisheries policy package for a sustainable, resilient and competitive fisheries and aquaculture sector,
- having regard to the letter from Commissioner Sinkevičius of 3 April 2023 on the legal consequences of the action plan for crab fishing with bottom trawls, known as ‘Krabbenfisherei’,
- having regard to Commission Implementing Regulation (EU) 2022/1614 of 15 September 2022 determining the existing deep-sea fishing areas and establishing a

¹ [OJ C 506, 15.12.2021, p. 9.](#)

² [OJ L 354, 23.12.2016, p. 1.](#)

list of areas where vulnerable marine ecosystems are known to occur or are likely to occur³,

- having regard to its position of 11 July 2023 on the proposal for a regulation of the European Parliament and of the Council laying down management, conservation and control measures applicable in the Area covered under the Southern Indian Ocean Fisheries Agreement (SIOFA)⁴,
 - having regard to the 2023 State of the Union address of 13 September 2023 by Commission President Ursula von der Leyen at the European Parliament plenary,
 - having regard to the UN High Seas Treaty of 19 June 2023 and the Kunming-Montreal Global Biodiversity Framework,
 - having regard to Council Regulation (EC) No 1100/2007 of 18 September 2007 establishing measures for the recovery of the stock of European eel⁵,
 - having regard to the draft report of its Committee on Fisheries on the implementation of Council Regulation (EC) No 1100/2007 establishing measures for the recovery of the stock of European eel⁶,
 - having regard to Rule 54 of its Rules of Procedure,
 - having regard to the opinion of the Committee on Development,
 - having regard to the report of the Committee on Fisheries (A9-0000/2023),
- A. whereas there is an urgent need to step up action at EU level to reverse the decline of marine ecosystems by tackling, where possible, human and natural pressures, supporting the positive recovery of some fish stocks and encouraging scientific studies and any research and development that ensure sustainable fisheries and aquaculture;
- B. whereas there are currently up to 23 EU legislative texts on nature restoration and over 40 texts taking into account communications, strategies and regulations, and numerous legislative texts on the environment and fisheries;
- C. whereas Commission Implementing Regulation (EU) 2022/1614 closed 87 areas to all bottom-fishing gear in the EU waters of the north-east Atlantic, representing a total area of 16 419 km² and 17 % of the area between 400 and 800 metres deep;

Protection of the environment and sustainability

1. Deplores the fact that, despite the EU fisheries sector's great efforts and progress towards protecting marine ecosystems and making them sustainable, the oceans are still subject to climate change, acidification and pollution through pollutants such as nitrites, plastics and other marine litter or waste from land-based activities, which are beyond

³ [OJ L 242, 19.9.2022, p. 1.](#)

⁴ Texts adopted, P9_TA(2023)0265.

⁵ OJ L 248, 22.9.2007, p. 17.

⁶ https://www.europarl.europa.eu/doceo/document/PECH-PR-749918_EN.pdf.

the control of fishers and pose a significant threat to their livelihoods and marine ecosystems;

2. Believes, like all stakeholders involved in fisheries and environmental policies, that healthy marine ecosystems benefit our health, society and economy, and are essential for the planet and the populations that rely on them;

Coherent approach with existing regulations

3. Considers that Commissioner Sinkevičius's action plan lacks a coherent approach with other Commission priorities and strategies, such as ensuring food security, the strategic autonomy of the EU and a level playing field with non-EU countries, as well as the fight against rising prices, enhancing the social dimension of the common fisheries policy (CFP) and strengthening economic growth and employment;
4. Recalls that the action plan should be coherent with the objectives of the CFP that ensure that fishing and aquaculture activities are environmentally sustainable in the long term and are managed in a way that is consistent with the objectives of ensuring economic, social and employment benefits, and of contributing to the availability of food supplies;

Nature restoration

5. Regrets the lack of coherence between the title of the action plan and the proposals presented therein, which mainly focus on altering the fishing practices that affect species and habitats without addressing the potential for alignment between fishing techniques and practices and the protection or restoration of ecosystems;

Marine protected areas (MPAs)

6. Insists on the fact that MPAs are diverse in terms of size, species, habitats and ecosystems targeted and should not be seen as uniform areas; considers, therefore, that the action plan supports an oversimplified approach, in particular by proposing a blanket ban on certain fishing gear, thus giving the impression that all MPAs should be treated in the same way; calls for a balance to be struck between the proposal to increase closures of traditional fishing areas, on the one hand, and maintaining fishing activity, on the other;
7. Considers that MPAs and all strictly protected areas are not an end in themselves and that their designation as protected areas will not prevent bad practices by foreign fleets, such as the Chinese fleet around the Galápagos sanctuary;

Bottom trawling

8. Is of the opinion that closing fishing zones to bottom trawlers is not simply a matter of moving fishing vessels so that they can continue to fish elsewhere, as this approach fails to take into account, among other things, the fishers' understanding of the seabed and the presence of other fishing vessels in adjacent areas which could cause an overlap and

lead to a localised overexploitation of resources and the deterioration of working conditions;

9. Considers that the multiplication of initiatives within and outside of the action plan concerning the same fishing technique brings into question the coherence and predictability of the Commission's actions, with its desire to implement a total ban on a certain fishing technique being diluted in a series of measures;
10. Believes that this surplus of more or less short-term actions detracts from the coherence and legitimacy of initiatives that should be the subject of a consensus, taking into account socio-economic, technical and scientific aspects;
11. Notes the lack of perspective on the consequences of certain aspects of the action plan, which was published without waiting, for instance, for scientific and socio-economic conclusions on previous proposals;

Eels

12. Emphasises the complexity and diversity of the management of the eel stock, which is not confined to a single marine-focused approach; highlights the fact that by focusing on annual fishing opportunities, other important factors are neglected, such as migration barriers, habitat quality, and illegal catches and trade; stresses that the Eel Regulation takes a holistic and comprehensive approach which captures both the marine and freshwater life stages of the eel and addresses both fisheries and non-fisheries impacts on eel stocks;
13. Stresses that measures taken outside the context of the Eel Regulation undermine the coherence of adopted policy; deplores the fact that Council Regulation (EU) 2023/194⁷ has restricted eel fisheries by introducing a six-month closure period without proper stakeholder consultation or an impact assessment on the socio-economic effects; considers, therefore, that an analysis of the species' recovery and its possible role in combating invasive species should be undertaken before implementing further restrictive measures, as announced in the action plan;

The Member States' reactions to the action plan

14. Notes the numerous declarations and clear statements by Member State representatives criticising the action plan and the associated uncertainties and rejecting the ban on bottom trawling in MPAs;
15. Takes into account the legal procedures taken by Member States or regional authorities, such as the Xunta de Galicia, at the Court of Justice of the European Union against measures linked to the action plan, underlining the lack of proportionality of certain measures;

The Commission's lack of clarity on the legal interpretation of its action plan

⁷ [Council Regulation \(EU\) 2023/194 of 30 January 2023 fixing for 2023 the fishing opportunities for certain fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters, as well as fixing for 2023 and 2024 such fishing opportunities for certain deep-sea fish stocks, OJ L 28, 31.1.2023, p. 1.](#)

16. Notes that, although the action plan is not legally binding, its implementation will entail significant socio-economic costs for Member States and their fleets, as it contains 90 measures in the form of regulations, guidance, analyses, roadmaps, studies, reports and initiatives;
17. Notes the Commission's embarrassing lack of clarity on the legal consequences of the action plan, due to its many contradictory statements, particularly those made within Parliament's Committee on Fisheries; considers that this has had a damaging impact on many sectors of the fishing industry, such as the brown shrimp sector, at a time when the uncertainties linked to the current crises are weighing heavily on their morale;
18. Regrets the conflicting statements made within the Commission and, in particular, between the Directorate-General for Maritime Affairs and Fisheries and the Directorate-General for Environment, regarding the binding effects of the action plan;

Socio-economic aspects and food security

19. Supports the Commission President's proposal, in her 2023 State of the Union address, that every new piece of legislation should undergo a competitiveness check; requests that the action plan and fisheries-related proposals and other initiatives include a competitiveness check on their socio-economic impact and their effect on coastal communities;
20. Regrets the fact that the action plan is not accompanied by a socio-economic study, impact assessment or intermediary report and that it does not propose any kind of additional financing measures for the green and energy transitions;
21. Calls for an action plan that, along with the CFP, contributes to productivity growth, a decent standard of living in the fisheries sector, including the small-scale fisheries sector, and stable markets, and that ensures the availability of food without compromising food security or the sovereignty gap;
22. Welcomes the Commission's call for data collection on the impact of recreational fisheries, but underlines the need to also consider the economic and social impacts of sustainable recreational fishing activities;

International action and reciprocity

23. Considers it essential that any restrictions, whether based on the action plan or not, should be automatically mirrored in the case of products imported from non-EU countries, especially given that the EU imports 70 % of the fish it consumes, to ensure consistency between internal and external policies, and a level playing field between EU and non-EU operators;
24. Stresses that mobile bottom-fishing gear catches account for 25 % of total European catches and that effective measures on bottom trawling at EU level should not lead to an increase in imports, especially if foreign fleets use bottom trawling gear;

Exemplarity of the fisheries sector

25. Supports the fisheries sector's ongoing efforts to improve fishing techniques and reduce its environmental impact without waiting for the Commission's action plans; highlights the positive examples of restoring species stocks in protected areas while maintaining fishing activities, thanks to the major role played by fisheries stakeholders;

Delegated acts in the action plan

26. Recalls that it rejected the delegated act on SIOFA and reaffirms its commitment to scrutinising any incoming delegated or implementing acts linked to the action plan;

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27. Instructs its President to forward this resolution to the Council and the Commission.

EXPLANATORY STATEMENT

In fact, 70 % of seafood consumed in Europe is imported. And European fishers follow some of the strictest rules in the world governing their activities in all fishing categories and activities, giving them both an exemplary role and, above all, the role of guarantor of the best fishing practices.

The European co-legislators, and therefore the European Parliament, must be the guarantors of the balance in the necessary transformation of certain practices due mainly to climate change, but also to a variety of more or less predictable factors: harmful species, declining stocks, but also thanks to improved data on the oceans.

Action does not mean prohibition. Action does not mean revolution. Action must not mean imposing ideas and political programmes on European players without dialogue, and worse, to their detriment.

It is incoherent and worrying to note the paralysis of the European Commission in the dialogue with the fishers while it advocates action! No action will be taken without the guardians of the relationship between man and the oceans, i.e. the local fishers and the small-scale artisanal fishing.

There are many major threats to the oceans: pollution, ocean warming, plastic and climate change and their effects are just as visible: increasing eutrophication, acidification, ocean warming, plastic pollution or in some cases uncontrolled increase in predatory birds. But where the European institutions have acted in close consultation with the fishing industry and fishermen, progress and positive news are accumulating. For example, there are significant improvements in the state of fish stocks in the EU seas and many operations with certified sustainability in their fisheries. In the last 20 years, fish biomass in the Northeast Atlantic has increased significantly and, according to the latest report from STECF (STECF 22-01 ad hoc) in 2020, it was approximately 35 % higher than in 2003. At the same time, fishing mortality has decreased significantly, and the number of overfished stocks is also declining.

The chaotic communication and internal imbroglio surrounding the European Commission's action plan unfortunately played a large part in turning it into a last chance plan that would wipe out current good practice, socio-economic issues and the positions of the fishing industry, and which would have repressive consequences for Member States before the Court of Justice. The European Commission's next term should avoid this kind of pitfall and should not play politics with an issue as important as the oceans. Action plans must be built on successes and failures, on sacrifices and efforts made by the European fishing industry. The aim of the action plans must not be to replace European fishing with imports, even less so since the war in Ukraine, which has opened the eyes of Europeans and above all the world to the need to ensure strategic autonomy and food security in the same way as agriculture.

Finally, and this is another major point. We need to know what we are talking about. Let's also rely on scientific research which, in conjunction with fishing activities, is already helping to make the European fisheries policy an exemplary policy based on science and reality. There is sometimes a lack of rationality in debates and positions, with some people wanting to prohibit rather than understand that it is perfectly possible to limit or organise the cohabitation

of human activities and protection of the oceans. Prohibiting certain activities that are well regulated at European level often allows bad practices to be authorised abroad.

For example during a four-year research project, the impact of brown shrimp fishing on the predominant habitat types in the Wadden Sea National Parks along the German North Sea coast was closely examined. This included an investigation into both short-term effects and long-term changes caused by brown shrimp fishing. The result: brown shrimp fishing has only a minor impact on the seabed. Where there were effects at the species level, these were only short-lived. However, these results are not new. When the two national parks on the German North Sea coast were established, there was a comprehensive study on the influence of brown shrimp fishing called the Wadden Sea Ecosystem Research. In the final report at that time, the authors concluded that the direct effects of brown shrimp fishing are only short-term.

To conclude, MPAs have different conservation objectives. They are established to protect natural resources such as mammals, birds, or turtles, often not specifically for the protection of the seabed. Management measures are adapted to the respective local conditions.

Therefore, the action plan should follow a transversal and holistic approach and not focusing only on fisheries activities as the sole responsible for all the problems.