



## INTERNATIONAL FISHERIES RELATIONS

The European Union (EU) plays a key role in international fisheries cooperation. The external dimension of its common fisheries policy (CFP) provides a framework for the activities of EU vessels fishing outside Union waters. This framework underpins the EU's engagement in multilateral agreements for fishing on the high seas under regional fisheries management organisations (RFMOs), and in bilateral fisheries agreements with third countries for fishing in their waters.

### LEGAL BASIS

Articles 38 to 43 of the Treaty on the Functioning of the European Union (TFEU). The EU has exclusive competence on the conservation of marine resources, which includes obligations derived from international bodies to which the EU is a party, as well as on the management of bilateral fisheries agreements. The measures adopted by RFMOs are transposed into EU law by means of the ordinary legislative procedure. International fisheries agreements are to be ratified by the Council after obtaining the consent of Parliament (Article 218(6)(a) TFEU).

### BACKGROUND

Bilateral and multilateral fishing agreements became necessary after the establishment of exclusive economic zones (EEZs) in the mid-1970s. In 1982, the United Nations adopted the Convention on the Law of the Sea (UNCLOS), which entered into force in 1994. It can be considered the constitution for the oceans, recognising coastal states' rights to control fish harvests in adjacent waters. Although EEZs cover only 35% of the total area of the seas, they contain 90% of the world's fish stocks. UNCLOS governs not just EEZs but also the high seas. It encourages states to cooperate with each other in the conservation and management of living marine resources in the high seas through the establishment of RFMOs. As a result, countries with distant-water fishing fleets have had to enter into international agreements and/or other arrangements in order to gain access to fisheries resources in third countries' EEZs or in high seas covered by an RFMO. However, it was only in 2013 that the CFP incorporated the external dimension of fisheries as one of the pillars of the EU fisheries policy through the adoption of [Regulation \(EU\) No 1380/2013](#), known as the CFP Basic Regulation. The 2013 CFP reform was a breakthrough that prioritised the principles of sustainable and responsible fisheries over the previous objectives of maintaining the presence of EU fleets in external waters and guaranteeing market supply.



Fishing outside Union waters accounts for a significant segment of the EU fishing sector and provides more than 20% of total EU catches. In addition, as the world's largest seafood market, the EU has a key role to play in promoting better fisheries governance and developing fisheries management policies in cooperation with its partners around the world.

## OBJECTIVES

The CFP's external dimension establishes a legal framework for the activity of European fishing vessels beyond EU waters and is structured around a number of objectives specifically defined by the CFP Basic Regulation (Article 28). According to these objectives, the EU will:

- Actively support and contribute to the development of scientific knowledge and advice;
- Improve policy coherence of Union initiatives, with particular regard to environmental, trade and development activities, and strengthen consistency of actions taken in the context of development cooperation and scientific, technical and economic cooperation;
- Contribute to sustainable fishing activities that are economically viable and promote employment within the Union;
- Ensure that Union fishing activities outside Union waters are based on the same principles and standards as those applicable under Union law in the area of the CFP, while promoting a level playing field for Union operators vis-à-vis third-country operators;
- Promote and support, in all international spheres, action necessary to eradicate illegal, unreported and unregulated (IUU) fishing;
- Promote the establishment and the strengthening of compliance committees of RFMOs, periodical independent performance reviews and appropriate remedial actions, including effective and dissuasive penalties, which are to be applied in a transparent and non-discriminatory manner.

## ACHIEVEMENTS

### A. Bilateral fisheries agreements

#### 1. Sustainable fisheries partnership agreements

Sustainable fisheries partnership agreements (SFPAs) are concluded by the EU with a number of third countries to obtain access to fisheries resources in the country's EEZ. The agreements should be of mutual benefit to the EU and to the third country concerned. Therefore, in exchange for fishing rights, the EU provides financial contributions to its SFPA partners, including payments for access rights and sectoral support. Financial compensation under these agreements is intended to contribute to the development of a high-quality governance framework in those third countries. The aim is to ensure, in particular, efficient data collection and fisheries control. EU sectoral support also aims to develop partner countries' scientific and research institutions,



contributing to capacity-building initiatives for monitoring, control and surveillance, and to the development of more sustainable fisheries policies.

Each SFPAs establishes the legal framework for EU vessels' access to fisheries resources, while an associated implementing protocol sets out the fishing opportunities available and determines the EU's financial contribution. All protocols now include a clause concerning respect for democratic principles and human rights. There are two types of SFPAs: 'tuna agreements', which allow the fishing of highly migratory fish stocks such as tuna and associated species, and 'mixed agreements', which grant access to a wide range of fish stocks. There are 13 SFPAs currently in force: 10 'tuna agreements', with Cabo Verde, Côte d'Ivoire, Gabon, the Cook Islands, Mauritius, Madagascar, São Tomé and Príncipe, Senegal, Seychelles and The Gambia, and three 'mixed agreements', with Greenland, Guinea-Bissau and Mauritania. Another seven SFPAs, known as 'dormant agreements', do not have a protocol in force: the 'tuna agreements' with Equatorial Guinea, Kiribati, Liberia, Micronesia, Morocco, Mozambique and the Solomon Islands. As a result, EU vessels are not allowed to fish in the waters of those countries.

The budget allocated to fisheries agreements increased from EUR 5 million in 1981 to almost EUR 300 million in 1997 (nearly 30% of the resources allocated to the fisheries sector). In 2020, EUR 142.6 million was assigned to SFPAs, representing 12% of the CFP budget. The most important agreement in terms of financial compensation and access rights is currently the one with Mauritania, with an annual EU contribution of EUR 60.80 million.

## 2. Northern agreements

The Northern agreements cover shared stocks in the North Sea and the North-East Atlantic and involve an exchange of fishing opportunities between the EU and neighbouring countries (the United Kingdom, Norway, the Faroe Islands and Iceland).

The United Kingdom and the EU have concluded a [Trade and Cooperation Agreement](#) (TCA), applicable from 1 January 2021. Cooperation under the TCA also includes fisheries (TCA Heading Five: Fisheries). Both parties exercise coastal state rights for the purposes of exploring, exploiting, conserving and managing the living marine resources in their waters. As part of the TCA, and for a transition period lasting until 30 June 2026, each of the parties has agreed to grant full access to its waters to vessels of the other party to fish specified TCA and non-quota stocks in their respective EEZs (12-200 nautical miles).

The EU has three fisheries agreements with Norway: a bilateral agreement covering the North Sea and the Atlantic, a trilateral agreement involving Denmark, Sweden and Norway for Skagerrak and Kattegat, and a neighbourhood arrangement granting Swedish vessels access to Norwegian waters in the North Sea. The agreement with Iceland is a 'dormant agreement', as no bilateral fisheries arrangements have been agreed since 2008.

In addition, several specific stocks (mackerel, Atlanto-Scandian herring and blue whiting) are managed through agreements between the coastal states.



## B. Regional fisheries management organisations

Regional fisheries management organisations (RFMOs) are international organisations composed of countries that have fishing interests in the high seas. The EU is an active player in many RFMOs, where it advocates conservation and management measures, and provides financial support for research and other supporting measures. The aim of these agreements is to strengthen regional cooperation in order to guarantee conservation and the sustainable exploitation of fish resources on the high seas and of straddling stocks. Importantly, they are also aimed at deterring IUU fishing (3.3.3). RFMOs come in various forms: some were set up under the auspices of the UN Food and Agriculture Organization (FAO) and others independently; some manage biological resources in a certain zone, while others focus on a stock or groups of stocks. RFMOs are also active in establishing measures for the control and monitoring of fishing activities, such as the adoption of joint inspection schemes in the North-East Atlantic Fisheries Commission, the Northwest Atlantic Fisheries Organization and the Commission for the Conservation of Antarctic Marine Living Resources.

The EU currently plays an active role in five tuna RFMOs and 13 non-tuna RFMOs. It also takes part in two RFMOs that have a purely advisory role – the Western Central Atlantic Fishery Commission and the Fishery Committee for the Eastern Central Atlantic.

## C. International fisheries governance

International conventions are used to create a legal order for the seas and oceans and promote their peaceful use, the equitable and effective utilisation of their resources, the conservation of their living resources, and the protection and preservation of the marine environment.

The EU and its Member States are party to UNCLOS, and have also collaborated in the development of other instruments to further implement sustainable fisheries. An important step towards joint international governance in the field of fisheries was the UN Fish Stocks Agreement (UNFSA). It was established as an implementing agreement under UNCLOS in 1995, and entered into force in 2001. UNFSA aims to ensure the long-term conservation and sustainable use of straddling and highly migratory fish stocks. A new implementing agreement under UNCLOS, addressing biodiversity beyond national jurisdiction, was concluded on 4 March 2023. It takes the form of the landmark Treaty of the High Seas to protect the ocean, tackle environmental degradation, fight climate change, and prevent biodiversity loss. The new treaty will make it possible to establish large-scale marine protected areas in the high seas and will make it mandatory to assess the impact of economic activities on biodiversity in the high seas.

The EU is also a cooperating partner of the FAO. Under FAO auspices, the Agreement on compliance with conservation and management measures of 1993, and also the Code of Conduct for Responsible Fisheries of 1995, were adopted. In more recent years, the FAO has been setting up international action plans with a view to tackling important deficiencies of international ocean conservation, in particular the fight against



IUU fishing, the action plan tackling incidental catches of seabirds in long-line fisheries, and the conservation and management of sharks.

## ROLE OF THE EUROPEAN PARLIAMENT

As a contracting party to RFMOs, the European Union must transpose the binding conservation and management measures adopted by these organisations into EU law so that they become applicable to fishing vessels flying the flag of a Member State. These measures are transposed using the ordinary legislative procedure.

Parliament's consent is required for the adoption of international fisheries agreements. In addition, Parliament must be immediately and fully informed of any decision concerning the provisional application or the suspension of agreements. Parliament has on several occasions stressed the importance of international fisheries agreements for EU fish supplies, for the EU regions most dependent on fishing and for employment in the sector. It has also addressed the question of these agreements being consistent with other EU external policies (environment and development cooperation). It has declared its support for the eradication of vessels flying flags of convenience and has condemned the growing use of private agreements outside the control of the EU authorities.

On 12 April 2016, Parliament adopted a [resolution](#) on common rules in respect of application of the external dimension of the CFP, including fisheries agreements. It emphasised the importance of ensuring consistency between fisheries, environmental and trade policies and development cooperation, and stressed that SFPAs should ensure the complete traceability of marine fisheries products.

On 16 March 2017, Parliament adopted a [resolution](#) on an integrated European Union policy for the Arctic, supporting the development of a network of Arctic conservation areas and the protection of the international sea area around the North Pole beyond the EEZs of the coastal states.

On 12 February 2019, Parliament adopted a [resolution](#) giving its consent to the Council decision on the conclusion, on behalf of the European Union, of the Agreement to prevent Unregulated High Seas Fisheries in the Central Arctic Ocean.

On 5 April 2022, Parliament adopted a [resolution](#) on the future of fisheries in the Channel, North Sea, Irish Sea and Atlantic Ocean in the light of the UK's withdrawal from the EU. While noting the impact of Brexit on the EU fishing sector, the resolution stressed that the relationship between the EU and the UK must be a pillar of fisheries governance in the North-East Atlantic and of the sustainable management of stocks shared with third countries.

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