



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES

The Director-General

Brussels,  
MARE/D3/FB (2021)

Dear Mr. Pastoor,

Thank you for your letter raising the importance of preserving biodiversity in European seas. The EU Biodiversity Strategy for 2030 indeed aims at the protection and restoration of marine and coastal ecosystems, and at ensuring the overall improvement of marine environment. To implement it, we will use all existing EU legal tools under the Common Fisheries Policy and existing environmental legislation, and we will also develop new tools, such as legally binding nature restoration targets.

Please find below some more precisions regarding your specific recommendations.

**On IUU fishing (your recommendations a), c) and j))**

Rather than replying individually to each of the recommendations, we would like to group the recommendations related to IUU fishing as they are all linked in one way or another. As highlighted in the recommendation a), the “zero tolerance” approach to IUU fishing is part of our Commissioner’s mandate. This approach has been enshrined, not only in the Biodiversity Strategy, but also in the Green Deal and the Farm to Fork strategy.

This gives us an even stronger mandate to lead globally in the fight against illegal, unreported and unregulated fishing, which does remain a key threat to biodiversity, food security, and causes the loss of millions of euros to the legal economy. In addition, this also gives us support to continue encouraging Member States to apply a zero-tolerance approach in their checks and verifications of fishery consignments arriving in Europe as well as for third country fishing vessels landing in EU ports.

This leads me to your recommendation c) relating to the IT system, CATCH, which was developed some years ago. As you know, we are still waiting for the legal basis to be adopted and then a few more years before the use of CATCH becomes obligatory. We can however reassure you that since the system was presented at the Seafood Expo in 2019 by then-Commissioner Vella, the Commission has been constantly working on improving CATCH by fine-tuning existing features and adding new risk analysis elements. Alongside CATCH, we have also embarked on a technical exercise of streamlining and strengthening the implementation by all stakeholders. We believe, with

this in hand, and the legal obligation to use CATCH, it will become even more difficult for IUU caught products to enter the EU.

Now turning to your recommendation j) on market state cooperation, the EU has signed joint statements with both the US and Japan to actively fight IUU fishing together. In addition, both the EU and the US have since a number of years established import control schemes in order to prevent illegally caught fish from entering their markets. Over the past 4 years, the Commission has actively engaged with Japan, which is one of the three major market States, to promote the advantages of introducing similar measures. Partly due to this encouragement and engagement from the Commission, Japan finally adopted in December 2020 its framework legislation to implement trade related measures to combat IUU fishing. Once implemented, we will have an increased level-playing field for operators globally. The Commission appreciates the need for interoperability between established IT systems. This will also be part of our work in the years to come.

### **On Sustainable Fisheries Partnership Agreements and Free Trade Agreements (your recommendations h) and i))**

In relation to the recommendation to consider biodiversity impact assessments and the inclusion of biodiversity provisions within future Sustainable Fisheries Partnership Agreements (SFPAs), we would like to stress that these agreements enhance fisheries governance for the sustainable exploitation, fish supply and development of the fisheries sector with partner countries. Biodiversity provisions are anchored in the definition and implementation of the SFPAs. More specifically, the parties cooperate at national and regional levels to monitor the state of the resources in the fishing zones and to ensure sustainability. The implementation of SFPAs makes biodiversity conservation data available for decision-making and guide fishing activities to ensure the implementation of EU fishing laws and principles.

SFPAs focus on resource conservation and environmental sustainability, ensuring that all EU vessels are subject to the same rules of control and transparency, and establishing mechanisms for sustainable fishing operations. These principles and objectives will continue to apply in future Agreements. The Commission is currently conducting an evaluation of the SFPAs that will provide an overall analysis of their features, content, implementation, results and impacts. This evaluation will also cover related policies, including environment. Future agreements will definitely learn from the evaluation results.

Regarding trade agreements, in general they contain a chapter on sustainable development with provisions on the conditions related to sustainable development in trade and multilateral environmental agreements and the sustainable management of marine biological resources and aquaculture. These provisions should meet the expectations of the EU biodiversity strategy for 2030 and its nature restoration plan with activities such as restoring the good environmental status of marine ecosystems. In this respect, measures taken by Member States in response to the Commission's forthcoming action plan to conserve fisheries resources and protect marine ecosystems should be useful in demonstrating good practices in the EU, including when challenged by other states. Such measures are also expected to bolster the Union's world standing in marine conservation and strengthen our position when discussing future sustainable development chapters of trade agreements.

### **On traceability and consumer information (your recommendations e) and f))**

We fully agree that both aspects are instrumental to help protect biodiversity. Product information becomes all the more relevant in the current environment where consumers (and operators in the supply chain) actively and increasingly demand sustainable products. The CMO Regulation already provides measures for mandatory and voluntary consumer information, but we agree that this should be complemented with further information on sustainability aspects. This is one of the crucial aspects of the on-going revision of the marketing standards under the CMO. While the analytical work is not yet finalised, we are looking into whether certain criteria, such as fishing pressure, could be incorporated in the marketing standards as they directly reflect the impact on biodiversity. At the same time, we are looking into the need for more data that could underpin information on such sustainability aspects.

In order to credibly transmit this information (and other information, e.g. on origin) along the supply chain and ultimately to the consumer, traceability is an absolute must. Therefore, we fully agree with the MAC's statement that such traceability requirements should be (a) properly enforced by public authorities and (b) comprehensive in terms of product coverage. As you know, the Commission's proposal on the revision of the EU fisheries control system is currently being negotiated in the European Parliament and Council. The Commission proposal contains amendments to the provisions on traceability for the purpose of improving the quality of traceability with the reference to the fishing trip identification number and the digitalization of the traceability information. In addition, the proposal is extending the scope of the traceability requirements to all fisheries and aquaculture products, including imported and processed products. The Commission continues to defend that the traceability provisions in its proposal should not be diluted, for example by carving out certain product categories or granting excessive flexibility to combine fish from varying species and origins in the same product lot.

#### **On MPAs (your recommendation b))**

MPAs contribute to the sustainable use of seas and oceans. They can be of benefit in tackling biodiversity loss whilst also being of benefit to many different stakeholders including fishers as a tool to protect sensitive habitats.

All protected areas need to have clearly defined conservation objectives and the necessary management measures based on the best available scientific advice to deliver the desired outcomes. Strong cooperation and early involvement of all stakeholders are necessary to create the right conditions to strike the balance between conserving marine ecosystems and safeguarding the livelihoods of European fishers. We have clear examples of successful stories, e.g. in the Spain Columbretes area, fishers are now benefitting from much higher yields in the adjacent areas as a result of an effective MPA management plan in place.

The expansion of the current MPA coverage to 30% (1/3 of which to be strictly protected) under the new Biodiversity Strategy for 2030 will further contribute to the biodiversity objectives, building on the existing MPAs and strictly protected areas. We hope it can also contribute to raising the standard at an international level.

We would also like to highlight that MPAs are not the sole tool for conservation and in certain situations, horizontal mitigation measures might be much more effective in protecting certain species, such as dolphins. The existing CFP toolbox offers a wide range of tools and we need to focus on their full implementation.

The European Maritime and Fisheries Fund (EMFF) 2014-2020 supports the implementation of the CFP and contributes to the biodiversity objectives. The European Maritime, Fisheries and Aquaculture Fund (EMFAF) 2021-2027 will continue to support the transition towards more selective and less damaging fishing techniques, contributing to the environment, climate and biodiversity related objectives established in the Multiannual Financial Framework. The EMFAF will also provide Member States with specific financial aid to ensure that they can have effective management plans in place for their Marine Protected Areas (MPAs). It supports data collection, as well as control and enforcement of the fisheries activities.

Under shared management, the EMFAF will contribute to the protection and restoration of aquatic biodiversity and ecosystems, including in inland waters, by ensuring that sufficient resources are available to manage, restore and monitor MPAs, as well as by providing support for actions to achieve or maintain a good environmental status in the marine environment. Under direct management, the EMFAF will support the promotion of clean and healthy seas and oceans by, for example, contributing to tackling the issue of marine litter.

### **On ‘ghost fishing gear’ (your recommendation d))**

The European Union has recently adopted measures aiming at reducing the harm caused by ‘ghost’ fishing gear.

In particular, the Port Reception Facilities Directive<sup>1</sup> provides for the separate collection and parallel reporting of waste from ships, including derelict fishing gear, in view of re-use or recycling, to prevent causing damage to marine wildlife and the environment.

In addition, the Single Use Plastics Directive<sup>2</sup> requires that Member States establish extended producer responsibility schemes. In the context of these schemes and under the principle ‘the polluter pays’, producers of fishing gear would cover for the costs for the separate collection, transport and treatment of waste fishing gear collected. Furthermore, they would cover for measures raising awareness regarding re-use alternatives, waste management options and the impact of littering and other inappropriate waste disposal. Member States with marine waters have to set minimum national annual collection rates of waste fishing gear containing plastic for recycling.

The Commission has also requested from the European Standardisation Committee to develop a standard for the circular design of fishing gear containing plastic.

With the above-mentioned actions, the European Union aims at reducing the amount of fishing gear discarded or abandoned at sea while increasing its circularity.

Finally, the European Union funds innovative projects in the field of marine litter. These projects deal with mapping, monitoring, tracking, removing, recycling and data collection of marine litter and abandoned, discarded or lost fishing gear. Some examples of such projects are FML-TRACK<sup>3</sup>, LITTER-TEP<sup>4</sup>, WISE-Marine<sup>5</sup>, The Marine

---

<sup>1</sup> Directive (EU) 2019/883 of the European Parliament and of the Council of 17 April 2019 on port reception facilities for the delivery of waste from ships, amending Directive 2010/65/EU and repealing Directive 2000/59/EC.

<sup>2</sup> Directive (EU) 2019/904 of the European Parliament and of the Council of 5 June 2019 on the reduction of the impact of certain plastic products on the environment.

<sup>3</sup> <https://marine.copernicus.eu/services/use-cases/fml-track-floating-marine-litter-tracking-coastal-areas-0>

LitterWatch mobile app<sup>6</sup>, Fishing for litter<sup>7</sup> and monitoring of beach litter through the European Marine Observation and Data Network<sup>8</sup>.

The results of these projects are expected to provide us with further innovative ways to fight plastic pollution.

As called for in your recommendation g), we will continue making sure to involve stakeholders throughout the development and implementation of the above-mentioned policies, notably via the Advisory Councils.

I am looking forward to our continued fruitful cooperation. Should you have any further questions on this reply, please contact Ms Pascale COLSON, coordinator of the Advisory Councils ([Pascale.COLSON@ec.europa.eu](mailto:Pascale.COLSON@ec.europa.eu); +32.2.295.62.73), who will forward it to relevant colleagues.

Yours sincerely,

Charlina VITCHEVA

c.c.: Pedro Reis Santos [secretary@marketac.eu](mailto:secretary@marketac.eu)  
Mr. Guus Pastoor  
Chairman  
Market Advisory Council  
[bestuur@visfederatie.nl](mailto:bestuur@visfederatie.nl)  
rue de la Science, 10  
B-1000 Brussels  
BELGIUM

---

<sup>4</sup> <https://litter-tep.argans.eu/>

<sup>5</sup> <https://marine.copernicus.eu/services/use-cases/wise-marine-platform-support-msfd>

<sup>6</sup> <https://www.eea.europa.eu/themes/water/europes-seas-and-coasts/assessments/marine-litterwatch>

<sup>7</sup> <https://webgate.ec.europa.eu/maritimeforum/en/frontpage/537>

<sup>8</sup> [https://www.emodnet.eu/geonetwork/emodnet/eng/catalog.search#/search?resultType=details&from=1&to=20&sortBy=relevance&fast=index&content\\_type=json&any=European%20beach%20litter](https://www.emodnet.eu/geonetwork/emodnet/eng/catalog.search#/search?resultType=details&from=1&to=20&sortBy=relevance&fast=index&content_type=json&any=European%20beach%20litter)