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NOTE

From: General Secretariat of the Council

To: Delegations

Subject: Council Conclusions on:

- Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the Energy Transition of the EU Fisheries and Aquaculture sector
- Report from the Commission to the European Parliament and the Council Implementation of Regulation (EU) No 1379/2013 on the common organisation of the markets in fishery and aquaculture products
- Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions EU Action Plan: Protecting and restoring marine ecosystems for sustainable and resilient fisheries
- Communication from the Commission to the European Parliament and the Council The common fisheries policy today and tomorrow: a Fisheries and Oceans Pact towards sustainable, science-based, innovative and inclusive fisheries management

- *Draft Council conclusions*

Delegations will find attached draft Council conclusions on the above-mentioned subject.

**DRAFT COUNCIL CONCLUSIONS
ON THE FISHERIES POLICY PACKAGE**

THE COUNCIL OF THE EUROPEAN UNION,

RECALLING:

- the Council conclusions of 19 October 2020 on the Farm to Fork Strategy¹;
- the Council conclusions of 23 October 2020 on Biodiversity – the need for urgent action²;
- the Council conclusions of 18 July 2022 on the EU’s new aquaculture strategic guidelines³;
- the Council conclusions of 13 December 2022 on International Ocean Governance for safe, secure, clean, healthy and sustainably managed oceans and seas⁴;

HAVING REGARD TO:

- the European Commission Communication of 21 February 2023 entitled ‘The common fisheries policy today and tomorrow: a Fisheries and Oceans Pact towards sustainable, science-based, innovative and inclusive fisheries management’ (COM(2023) 103 final)⁵ and its accompanying Commission staff working document entitled ‘Common Fisheries Policy - State of play’ (SWD(2023) 103 final)⁶;
- the European Commission Communication of 21 February 2023 entitled ‘EU Action Plan: Protecting and restoring marine ecosystems for sustainable and resilient fisheries’ (COM(2023) 102 final)⁷;

¹ Doc. ST 12099/20.

² Doc. ST 12210/20.

³ Doc. ST 11496/22.

⁴ Doc. ST 15973/22.

⁵ Docs. ST 6716/23 + COR 1.

⁶ Docs. ST 6716/23 ADD 1 REV 1 + COR 1.

⁷ Docs. ST 6690/23 + COR 1.

- the European Commission Communication of 21 February 2023 entitled ‘On the Energy Transition of the EU Fisheries and Aquaculture sector’ (COM(2023) 100 final)⁸;
 - the European Commission Report of 21 February 2023 entitled ‘Implementation of Regulation (EU) No 1379/2013 on the common organisation of the markets in fishery and aquaculture products’ (COM(2023) 101 final)⁹;
 - the European Commission Communication entitled ‘Towards a Strong and Sustainable EU Algae Sector’ (COM(2022) 592 final)¹⁰;
1. EMPHASISES the important role of fisheries and aquaculture products as a source of healthy food and their contribution to food security;
 2. RECALLS the three pillars of sustainability in the Common Fisheries Policy that contribute to the sustainable use of fish stocks and the sustainable development of EU aquaculture, ensure the competitiveness of the sector and guarantee a fair standard of living for coastal and rural communities;
 3. AGREES with the objective of long-term sustainability and resilience for the fisheries and aquaculture sectors, where innovation and joint collaboration between the different parties should play a central role;

⁸ Docs. ST 6689/23 + COR 1.

⁹ Docs. ST 6691/23 + COR 1.

¹⁰ Docs. ST 14784/22 + ADD 1.

4. RECALLS that factors other than fisheries, such as climate change, eutrophication, predators and invasive alien species contribute to fishing mortality and that all factors need to be addressed in a holistic manner to safeguard fish stocks and enable recovery to healthy and sustainable levels of species in poor status;
5. EMPHASISES the complexity of the sector given the variety of EU fisheries, the number of small-scale fisheries and the particularities of each sea basin; FURTHER EMPHASISES, hence, the need to establish conservation measures that can be adapted to regional specificities and UNDERLINES that these measures should be justified, proportionate to the benefits sought and based on the best available scientific advice and a comprehensive assessment that also considers socio-economic aspects;

I. SHIFTING FISHERIES INTERESTS BEYOND EU WATERS

6. NOTES that the geopolitical context has changed substantially since the last reform of the Common Fisheries Policy in 2013 and POINTS OUT the challenges this presents to fishers, aquaculture producers, coastal communities and all stakeholders concerned; EMPHASISES also the need for close cooperation on shared stocks on all levels in order to achieve the EU's sustainability objectives and improve global ocean governance;

7. HIGHLIGHTS the need to work towards a level playing field and responsible and sustainable value chains at international level in both fisheries and trade in fishery and aquaculture products, in order to maintain the competitiveness of the industry and the EU's food sovereignty in line with the new EU policy on an open, sustainable and assertive trade policy as well as with the European Green Deal and the Farm to Fork Strategy;
8. LOOKS FORWARD to the forthcoming update of the European maritime security strategy and its action plan and the forthcoming Joint Communication on Climate Change, Environmental Degradation and on Security and Defence to address the nexus between climate change, environmental degradation of coastal and maritime areas and maritime security;

II. EMPOWERING PEOPLE IN FISHING AND AQUACULTURE COMMUNITIES

9. ACKNOWLEDGES that generational renewal is key to ensuring that the EU fishing, aquaculture and seafood processing sectors and coastal communities have a viable future and can continue to ensure food security; UNDERLINES, therefore, the importance of making these activities more attractive by improving social and working conditions through innovation, continuing to protect the biodiversity of the marine environment and promoting the role of fishers and marine aquaculture farmers as 'guardians of the sea' and providers of services of public interest; POINTS OUT the opportunities for innovative arrangements that these professions offer, such as linking production to direct sales or tourism, in particular for small-scale coastal fisheries and aquaculture; AGREES to enhance and increase the importance and the presence of women throughout the EU seafood value chain, contributing both to the generation of wealth and employment and to the sustainable use and conservation of aquatic resources;

10. ACKNOWLEDGES that EU fisheries and fishing fleets must reduce their operational energy costs to ensure the sector's long-term profitability and resilience, thus becoming more efficient while maintaining long-term sustainability objectives; ENCOURAGES measures to improve the aquaculture sector's competitiveness by further diversifying its production and ensuring added value for its products as well as reducing its reliance on fossil fuels;
11. SUPPORTS the work of the Commission to ensure high standards for fishers' safety and working conditions, notably on the international stage through the ratification and implementation of the revised international Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel (STCW-F) and of International Labour Organization (ILO) and International Maritime Organization (IMO) conventions; ENCOURAGES the accelerated ratification of the International Labour Organization (ILO) and International Maritime Organization (IMO) conventions;
12. UNDERLINES the roles of producer organisations and inter-branch organisations to better structure the value chain and improve market conditions through the collective management of their members' activities and the mutualisation of resources;
13. DEEMS IT NECESSARY to strengthen socio-economic resilience in the context of fossil fuel dependency, increased and volatile energy prices, the need for greater energy efficiency and sustainability of the sector and the goal of reaching climate neutrality in the EU by 2050; WELCOMES the actions proposed by the Commission regarding stakeholder cooperation, knowledge and innovation, as well as the strengthening of workforce skills, but CALLS ON the Commission to provide better guidance on financing options and impact assessments to support the energy transition in the EU fisheries and aquaculture sector;

14. WELCOMES the launching of the EU-wide participatory foresight project ‘Fishers of the Future’ aimed at forecasting the crucial role of fishers in society beyond the provision of high-quality seafood with a relatively low carbon footprint; EMPHASISES the need to better identify the trends, opportunities and threats that determine the attractiveness of the fishing sector;
15. RECOGNISES the importance of up-to-date education and vocational training systems to improve employment opportunities for workers and the sector’s attractiveness to newcomers in order to address skills shortages, in particular in relation to the transition to renewable and low-carbon alternative energy sources and low-impact fishing gears and techniques; ENCOURAGES, in this regard, the setting-up of large-scale skills partnerships;
16. SUPPORTS the use of a bottom-up approach, as of 2023, enabling local fishing and aquaculture communities to address socio-economic challenges and needs through community-led local development under the 2021-2027 EMFAF programmes;
17. WELCOMES the ongoing work of the Commission and scientific bodies to further develop social indicators for the analysis of socio-economic reports; ACKNOWLEDGES that scientific advice and management measures already take into account socio-economic impacts, but ENCOURAGES further development in this regard to reinforce informed management decisions;

III. CONTRIBUTING TO THE PROTECTION OF THE PLANET

18. EMPHASISES the importance of sustainability principles in fisheries management and REITERATES the need to take into account the three pillars of the CFP, i.e. economic, environmental and social sustainability;
19. REMAINS FULLY COMMITTED to safeguarding biodiversity and protecting and restoring the marine ecosystems upon which healthy fish stocks that can contribute to food security and a viable fishing sector within the EU depend;
20. EXPRESSES the willingness to protect biodiversity, specifically the sensitive species affected by fishing activity, through the use of new innovative gears designed for this purpose, based on the best scientific information available;
21. NOTES the ongoing work on threshold values for the maximum allowable mortality rate from incidental catches of sensitive species, and for the maximum allowable extent of seabed that can be lost or adversely affected by human pressure, as part of the implementation of the Marine Strategy Framework Directive;
22. RECOGNISES the objectives set out in the proposed action plan on marine ecosystems in contributing to the EU 2030 biodiversity strategy, but CALLS FOR a comprehensive impact assessment based on the best available science as a basis for operational and proportional applicability of the proposed actions, with regard to their benefits for marine ecosystems and taking into account regional specificities as well as financial and socio-economic implications;

23. IS COMMITTED to contributing to the objective of creating a coherent network of well-managed protected areas and to protecting a minimum of 30% of the EU's sea area, one third of which is strictly protected; EMPHASISES that this is an objective to be reached by Member States collectively based on the Natura 2000 network and therefore EMPHASISES the importance of introducing fisheries measures that are necessary for the purpose of complying with these objectives; UNDERLINES that the use of gears such as contact bottom fishing in marine protected areas (MPAs) should be in line with the best available science for the conservation objectives of each MPA; NOTES that the CFP and Technical Measures Regulations empower Member States via regionalisation to propose joint recommendations for necessary conservation measures based on scientific evidence in MPAs and that such work is ongoing;
24. CONSIDERS that the planning of activities is essential to allow all interested stakeholders to contribute to the implementation of the Marine Action Plan and NOTES the proposed concept of individual Member States roadmaps;
25. ACKNOWLEDGES that achieving maximum sustainable yield levels for commercially exploited fish stocks is a key principle of the Common Fisheries Policy and contributes to the good environmental status of commercial fish populations; UNDERLINES that fish stocks are also affected by other human activity as well as environmental factors and predators and therefore SUPPORTS the improvement of ecosystem-based and multi-species scientific advice, for instance taking into account the impact of species such as seals and cormorants for the achievement of maximum sustainable yield for affected stocks;

26. HIGHLIGHTS the importance of innovative solutions in fishing techniques to minimise the environmental impact and carbon footprint and to increase selectivity to ensure that fishers only catch targeted species and comply with the landing obligation;
27. WELCOMES the Commission's intention to conduct an evaluation of the effectiveness, efficiency and relevance of current EU legislation on the landing obligation pertaining to the conservation of commercial fish stocks;
28. EMPHASISES that increased inclusion of the ecosystem approach to scientific assessments is needed in fisheries management to factor in environmental and climate change and other human activity impacts as well as predators that affect fish stocks. Such an approach will provide for a holistic fisheries governance framework that tackles the trade-offs between ecological, social (including cultural and institutional) and economic sustainability criteria;
29. REAFFIRMS that the EU will continue to apply zero tolerance towards illegal, unreported and unregulated fishing, and promote sustainable fisheries combatting overfishing and reducing by-catch of threatened and unwanted species;
30. REITERATES the importance of encouraging the use of innovative techniques in compliance with CFP objectives; AGREES that innovation should be supported financially and through specific incentives; and RECALLS that this is even more relevant for small-scale coastal fisheries and aquaculture operators with low profit margins;

31. EMPHASISES the need to ensure mutual supportiveness with all initiatives under the European Green Deal and with EU and Member States' objectives related to, inter alia, food security, health, climate change, environment and the sustainable use of terrestrial and marine natural resources, especially sustainable agriculture and food systems, sustainable fisheries and the sustainable management of forests;
32. REITERATES the importance of adopting joint recommendations through regionalisation in order to contribute to the implementation of EU environmental legislation;
33. IS AWARE of the importance of the sustainable development of the aquaculture sector in the EU and of the current and outstanding challenges to the growth of this sector; LOOKS FORWARD to guidance documents that the Commission intends to issue to support the implementation of its 'Strategic guidelines adopted by the Commission in 2021 for a more sustainable and competitive EU aquaculture for the period 2021 to 2030'; SUPPORTS the clear vision of the objectives and challenges to be taken into account and of the concrete actions needed for this sector to reach its potential in terms of sustainable food supply, economic development and the creation of employment in coastal and rural areas across the EU;
34. WELCOMES the Commission's document 'Towards a Strong and Sustainable EU Algae Sector' and the Commission's efforts to support EU algae sector developments and, in particular, the adoption on 15 November 2022 of the EU Algae Initiative; RECOGNISES that regenerative algae farming has the potential to become a significant part of the EU blue bioeconomy and can provide opportunities to EU fishers and other actors in coastal and rural areas for diversification of their economic activities; WELCOMES the Commission's initiative to establish a cross-cutting European algae stakeholder platform (EU4Algae);

IV. IMPROVING CFP GOVERNANCE

35. REAFFIRMS the crucial role of producer organisations in implementing CFP objectives for both fisheries and aquaculture, and HIGHLIGHTS their important role in balancing the conservation of marine resources and fleet competitiveness and therefore their contribution to food security; IS CONVINCED that enhancing these structures and fostering the creation of inter-branch organisations and transnational professional organisations will further strengthen the proper functioning of the value chain and contribute to achieving CFP objectives;
36. WELCOMES the Commission's work on marketing standards; EMPHASISES the need to ensure consistency between the rules of horizontal EU regulation on the provision of food information to consumers and the rules on consumer information in the Common Markets Organisation Regulation and AGREES that information on fishery and aquaculture product labels is essential for consumers to make informed choices;
37. UNDERLINES the importance of the work of regional groups while recognising the workload associated with regionalisation; ENCOURAGES, therefore, all parties concerned to participate actively in this work; REAFFIRMS the important role of advisory councils in this context and within the CFP more generally;
38. AGREES that transparency on the allocation criteria used is important; UNDERLINES that the definition of the criteria for allocation of fishing opportunities at national level is Member States' competence within the framework set by Article 17 of the CFP;

39. CALLS ON the Commission to provide a thorough impact assessment for any future legislative proposal, in line with the Interinstitutional Agreement on Better Law Making, including an assessment of subsidiarity and proportionality of the proposed measures; CALLS ON the Commission to provide better guidance on financing options;
40. HIGHLIGHTS the role of Maritime Spatial Planning, built on an ecosystem-based management approach, in supporting the achievement of conservation and restoration targets and in mitigating and minimising the harmful impact of human activities in coastal areas and offshore, and not only from fisheries, as well as its contribution to a competitive and sustainable blue economy and the need for a more coordinated approach between policy areas and legislation within the Union;

V. THE CFP TAPPING THE POTENTIAL OF SUSTAINABLE INNOVATION AND INVESTMENT

41. WELCOMES the proposed set-up of an Energy Transition Partnership (ETP) for EU Fisheries and Aquaculture; SUGGESTS that the framework and structure of the ETP should better define its mandate in order to fulfil its objectives;
42. AGREES that appropriate investment frameworks and funding opportunities across the value chain are key for enabling the energy transition; NOTES in this regard that the EMFAF is too limited to bridge the gap towards sustainable innovation for a sector that is highly diverse and characterised by mostly small-scale businesses; CALLS ON the Commission to provide guidance on financing options and financial assistance for measures targeting specifically zero emissions or low-carbon technology and investment in the EU fisheries and aquaculture sector;

43. SUPPORTS the development and use of digital technology as an opportunity for collecting a broader range of data to inform the scientific and decision-making processes;
44. HIGHLIGHTS the importance of EMFAF in supporting innovation, digitalisation and the energy transition as well as other EU funds such as Horizon, the LIFE programme and the Recovery and Resilience Facility; ACKNOWLEDGES that enhancing Member States' cooperation in research projects is also important;
45. ENDORSES therefore the Commission's initiative to develop a specific guide and comprehensive database on EU financing instruments for the energy transition in the fisheries and aquaculture sector;
46. AGREES that innovation should be rewarded and SUPPORTS the creation of an annual award for sustainable innovation in fisheries, with the support of the advisory councils;
47. NOTES the Commission's initiative to increase the flexibility of their fishing capacity management in cooperation with the sector and with EU and national financial support where eligible; INVITES the Commission to encourage Member States to use this as a 'decarbonisation capacity margin' to support the fleets to transition towards cleaner, renewable or low-carbon energy sources and fishing methods;

VI. A 'FISHERIES AND OCEANS PACT' TO PAVE THE WAY FOR THE FUTURE

48. SUPPORTS the Commission's 'Fisheries and Oceans Pact' to reconfirm the joint commitment to fully implementing current policy and contributing to necessary reflections and assessments of certain elements of the CFP; CALLS FOR the strong involvement of fisheries stakeholders and of the scientific community in the 'Fisheries and Oceans Pact'.