



Feedback from the European Marine Board Secretariat to the European Commission's [consultation](#) for the communication on the functioning of the Common Fisheries Policy

(September 2022)

The European Green Deal and the Biodiversity Strategy 2030 recognise the central role of biodiversity and healthy ecosystems in combating both the biodiversity crisis and the climate crisis. The Biodiversity Strategy 2030 therefore sets the target to protect 30% of the sea, of which 10% should be strictly protected. These requirements are complemented by the quantitative restoration targets set by the EU Nature Restoration Law. However, currently, marine protected areas (MPAs) in Europe offer limited protection [1], hampering their effectiveness. For effective MPAs, conservation measures need to be put in place, which is a difficult and lengthy procedure under the CFP.

The current CFP regulation offers Member States the possibility to adopt conservation measures based on joint recommendations by the Member States concerned (Reg.1380/2013, article 11). Thus, to implement any conservation measure (e.g. excluding fishing from a MPA) all Member States fishing in that area must agree on a joint recommendation, making implementation extremely difficult. Hence, effective conservation measures are lacking and management measures implementation can take more than a decade (e.g., Dogger Bank SAC¹). The article 11 procedure has also been criticised by the European Court of Auditors and the EEA for not ensuring timely protection from fishing for a large number of Natura 2000 sites [2], and for favouring commercial fisheries interests over nature conservation requirements [3].

Ecosystem-based fisheries management (EBFM) is central to achieving good environmental status (GES). Implementation of EBFM is enshrined in the Common Fisheries Policy (CFP), the Marine Strategy Framework Directive (MSFD), the Marine Spatial Planning Directive (MSP) and the Biodiversity Strategy 2030 but sustainable fisheries and GES have not been achieved. The scientific community has highlighted why that is, including the impacts of: subsidies on the economic sustainability of European fisheries (see [4] and others); the discard ban on biodiversity [5]; and

¹ 2020 North Sea Advisory Council advice: <https://www.nsrac.org/wp-content/uploads/2020/06/09-1920-NSAC-Advice-on-Dogger-Bank-Process.pdf>

climate change induced habitat changes [6]. These studies show the ongoing challenges of addressing marine biodiversity and habitat loss in Europe's seas.

Resource extraction and damage to the sea floor are still key pressures on the EU's seas [2]. Therefore, to achieve the ambition of the European Green Deal and the Biodiversity Strategy, fisheries policy needs to be better informed by science, coordinated with marine protection and there need to be improved pathways for implementing conservation measures and EBFM. Without this coordination and implementation, it will be difficult to achieve the vision of the European Green Deal and the Biodiversity Strategy 2030.

References

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