



TEXTS ADOPTED

P9_TA(2024)0046

EU Action Plan: protecting and restoring marine ecosystems for sustainable and resilient fisheries

European Parliament resolution of 18 January 2024 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) (the ‘action plan’),
- having regard to the opinion of the European Economic and Social Committee of 12 July 2023 on the communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the EU action plan: Protecting and restoring marine ecosystems for sustainable and resilient fisheries¹,
- 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 thereof on the principle of proportionality,
- having regard to the UN General Assembly resolution entitled ‘Transforming our World: the 2030 Agenda for Sustainable Development’, adopted at the UN Sustainable Development Summit in New York on 25 September 2015, and in particular to Sustainable Development Goal (SDG) 14 of the UN 2030 Agenda for Sustainable Development, which encourages the conservation and sustainable exploitation of the oceans, seas and marine resources,
- having regard to the Paris Agreement of 12 December 2015 and, in particular, Article 2(1)(b) thereof on adapting to the adverse impacts

¹ OJ C 349, 29.9.2023, p. 127.

of climate change in a manner that does not threaten food production,

- having regard to the Agreement under the UN Convention on the Law of the Sea on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction of 19 June 2023 (UN High Seas Treaty) and the Kunming-Montreal Global Biodiversity Framework,
- having regard to Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC¹,
- having regard to Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy²,
- having regard to Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive)³,
- having regard to Directive 2014/89/EU of the European Parliament and of the Council of 23 July 2014 establishing a framework for maritime spatial planning⁴ (Maritime Spatial Planning Directive),
- 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 2347/2002⁵,
- having regard to Council Regulation (EC) No 1100/2007 of 18 September 2007 establishing measures for the recovery of the stock of European eel⁶ (Eel Regulation),
- having regard to Commission Implementing Regulation (EU) 2022/1614 of 15 September 2022 determining the existing deep-sea

¹ OJ L 354, 28.12.2013, p. 22.

² OJ L 327, 22.12.2000, p. 1.

³ OJ L 164, 25.6.2008, p. 19.

⁴ OJ L 257, 28.8.2014, p. 135.

⁵ OJ L 354, 23.12.2016, p. 1.

⁶ OJ L 248, 22.9.2007, p. 17.

fishing areas and establishing a list of areas where vulnerable marine ecosystems are known to occur or are likely to occur¹,

- having regard to its resolution of 9 June 2021 on the EU Biodiversity Strategy for 2030: Bringing nature back into our lives²,
- having regard to its resolution of 21 January 2021 entitled 'More fish in the seas? Measures to promote stock recovery above the maximum sustainable yield (MSY), including fish recovery areas and marine protected areas'³,
- having regard to its resolution of 3 May 2022 entitled 'Toward a sustainable blue economy in the EU: the role of the fisheries and aquaculture sectors'⁴,
- having regard to its resolution of 7 June 2022 on the implementation of Article 17 of the Common Fisheries Policy Regulation⁵,
- having regard to its resolution of 6 October 2022 on momentum for the ocean: strengthening ocean governance and biodiversity⁶,
- having regard to its resolution of 9 May 2023 on co-management of fisheries in the EU and the contribution of the fisheries sector for the implementation of management measures⁷,
- having regard to its resolution of 21 November 2023 on the implementation of Council Regulation (EC) No 1100/2007 establishing measures for the recovery of the stock of European eel⁸,
- having regard to the Presidency Conclusions of 26 June 2023 on the Fisheries policy package for a sustainable, resilient and competitive fisheries and aquaculture sector,
- 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 Commission communication of 10 October 2007 entitled 'An Integrated Maritime Policy for the European Union' (COM(2007)0575),

1 OJ L 242, 19.9.2022, p. 1.

2 OJ C 67, 8.2.2022, p. 25.

3 OJ C 456, 10.11.2021, p. 129.

4 OJ C 465, 6.12.2022, p. 2.

5 OJ C 493, 27.12.2022, p. 62.

6 OJ C 132, 14.4.2023, p. 106.

7 Texts adopted, P9_TA(2023)0132.

8 Texts adopted, P9_TA(2023)0411.

- having regard to the Commission's 2018 Guidance on Aquaculture and Natura 2000;
 - having regard to the Commission report of 23 September 2021 entitled 'Implementation of the Technical Measures Regulation (Article 31 of Regulation (EU) 2019/1241)' (COM(2021)0583),
 - having regard to the 2022 Commission staff working document of 28 January 2022 entitled 'Criteria and guidance for protected areas designations' (SWD(2022)0023),
 - having regard to the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services report of 4 May 2019 entitled 'The global assessment report on biodiversity and ecosystem services',
 - having regard to the International Council for the Exploration of the Sea report of 24 June 2021 entitled 'EU request on how management scenarios to reduce mobile bottom fishing disturbance on seafloor habitats affect fisheries landing and value',
 - having regard to the European Court of Auditors special report 26/2020 of 26 November 2020 entitled 'Marine environment: EU protection is wide but not deep',
 - having regard to the Aquaculture Advisory Council recommendation of June 2023 entitled 'Impact of the Action Plan's Bottom Trawling Ban on Shellfish Farming', as well as to the Commission's reply of 1 August 2023 entitled 'Answer to the Aquaculture Advisory Council's Recommendation "Impact of the Action Plan's Bottom Trawling Ban on Shellfish Farming"', as well as to its letter of 3 April 2023 to MEPs David McAllister, Jens Gieseke and Niclas Herbst on *Krabbenfisherei* (crab fisheries)¹,
 - 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 (A9-0437/2023),
- A. whereas protecting the ocean should be guided by the principle of the common heritage of humankind; whereas there is an urgent need to step up action at global and EU level to reverse the real, existing and scientifically described declines of marine ecosystems by tackling all conceivable human and natural pressures within our capabilities, supporting the positive recovery of fish stocks, species and their habitats and encouraging scientific studies, research and development, as well as supporting fisheries and techniques that

¹ Ares(2023)3615063.

ensure sustainable fisheries and aquaculture, with the full involvement of operators, local authority representatives, civil society and coastal communities, which provide an essential contribution to this global objective;

- B. whereas there are currently numerous legislative texts, communications, strategies and regulations related to the protection of the environment and fisheries management, in particular on the restoration of nature;
- C. whereas the EU has committed to deliver on the UN 2030 Agenda, including SDG 14, as well as on its obligations under the Kunming-Montreal Global Biodiversity Framework;
- D. whereas all EU policies relating to both the external and external dimensions of the sustainable blue economy are managed through a siloed governance structure, which results in a lack of synergies and leads to conflicts among sustainable blue economic stakeholders; whereas the Commission should apply an ecosystem-based approach in all EU policies relating to the blue economy, as part of an overarching legal framework, in order to achieve the specific policy goals and ensure that they are managed through an integrated and consistent approach that promotes synergies between all marine-related activities;
- E. whereas at the Agriculture and Fisheries Council meeting of 20 March 2023, the Member States voiced various positions, including criticisms, towards the action plan; whereas this scrutiny was carried out by national parliaments in eight Member States;
- F. whereas the action plan must be aligned with the objectives of the common fisheries policy (CFP), which seeks to guarantee the proper conservation and management of marine biological resources and seeks to ensure that fishing and aquaculture activities, which have proven to be strategic during recent crises, are environmentally sustainable in the long term and are managed in a way that is consistent with the objectives of achieving economic, social and employment benefits, and of contributing to the availability of food supplies;
- G. whereas ongoing legal proceedings were initiated by the Kingdom of Spain on 14 November 2022 and Galician fishers and producers' organisations on 13 December 2022 at the Court of Justice of the European Union in relation to Commission Implementing Regulation (EU) 2022/1614, which sets out 87 areas in the EU waters of the north-east Atlantic where all bottom fishing gear is prohibited, representing a total area of 16 419 km² and 17 % of the area between 400 and 800 metres deep where bottom fishing gear is not allowed; whereas this Implementing Regulation was adopted without a prior socioeconomic impact assessment and its implementation will

lead to a severe socioeconomic impact on the fishing fleets concerned;

- H. whereas marine biodiversity must be protected and restored in cooperation with all stakeholders, in particular with the fisheries sector and the scientific community;
- I. whereas, according to Commission data, in 2009, there were only five sustainably fished fish stocks in the EU, but by 2022, this number had grown to more than 60 and the situation continues to improve¹; whereas despite good progress being made in 2022 towards achieving the objectives set under the CFP, more progress is needed in EU marine ecosystems, in particular in the Mediterranean and Black Seas;
- J. whereas the future of food security will also depend on our capacity to tackle nature loss and the growing impacts of climate change;
- K. whereas the management of ecosystems requires a holistic approach that takes into account all the causes of biodiversity loss, such as overfishing, climate change, ocean acidification, the appearance of alien species, coastal erosion or loss of marine biodiversity, including through actions enabling that properly managed marine protected areas (MPAs), other effective area-based conservation measures and activities, such as shellfish farming are beneficial to fisheries and ecosystems alike;

Protection of the environment and sustainability

- 1. Praises the efforts made by the EU fisheries sector and the progress achieved in making fisheries even more sustainable and contributing to the protection and sustainable use of marine ecosystems; considers that, despite these efforts and progress, the ocean is affected by several other factors such as overfishing, climate change, acidification, invasive alien species and different sources of pollution, in particular from land-based activities and transport, which are to some extent beyond the control of fishers and pose significant threats to fishers' livelihoods and marine ecosystems;
- 2. Highlights the intrinsic value of the ocean and all species depending on it; stresses that healthy marine ecosystems are essential for life on Earth and play a key role in planetary well-being; acknowledges the need to improve ocean protection at global and EU level;
- 3. Believes, like all stakeholders involved in fisheries and environmental policies, that healthy marine ecosystems benefit our

¹ 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)0103).

health, society and economy, and are essential for the whole planet, and particularly the populations that rely on them;

4. Recalls the vital importance of the ocean as a pillar of the climate and food systems, as it covers 71 % of the earth's surface, produces half of our oxygen and absorbs a third of CO₂ emissions; emphasises the need to develop policy and financing approaches for ocean conservation and sustainable use; calls for the global preservation of ocean-based livelihoods and ocean biodiversity; stresses the ocean's critical role, in particular in carbon sequestration, renewable energy development, job creation, poverty reduction, goods transportation and internet communications; warns of the interdependence between fisheries and food security, as 3.3 billion people depend on food from the sea to obtain at least 20 % of their animal protein intake;
5. Notes that coastal communities have been harvesting food from Europe's seas for many generations; considers that the fisheries and aquaculture sectors and these coastal communities contribute to sustainable food security in the scope of the blue economy; believes that the sustainable use and management of marine resources should be seen as contributing to marine ecosystems, not detracting from them;

Consistent approach with existing regulations

6. Considers that the Commission's action plan lacks a coherent approach with other priorities and strategies, such as ensuring food security and the strategic autonomy of the EU; highlights that, in addition, the action plan should be managed through an integrated, consistent and ecosystem-based approach that promotes synergies between all maritime activities in order to avoid conflicts and foster cooperation, in particular as regards marine energy infrastructure, and that it should ensure a level playing field with non-EU countries; is of the opinion that considerations such as rising prices, enhancing the social dimension of the CFP and strengthening economic growth and employment have not sufficiently been considered in the action plan;
7. Regrets that the proposed action plan comes at a time when the fishing sector is burdened by the consequences of the Russian invasion of Ukraine, the rise and unpredictability of oil prices and Brexit;
8. Underscores a general concern with the lack of real stakeholder consultation to ensure support for the action plan; expresses general concern that proportionality considerations are not properly taken into account in Commission proposals;
9. Recalls that the action plan should be consistent with the objectives of the CFP to ensure that fishing and aquaculture activities are environmentally sustainable in the long term and are managed in

line with an ecosystem-based approach; recalls that the action plan should also be consistent with the objectives of ensuring economic, social and employment benefits, as well as contribute to the availability of food supplies and make the best use of available fishing opportunities to reduce dependency on non-EU markets; welcomes any objectives that enable a consistent approach between the CFP and other policies, in particular environmental legislation;

10. Supports the need to strengthen and improve scientific research and innovation projects, which should be carried out in a way that is consistent with other EU policies, pilot projects and scientific projects dealing with innovation and research, such as those, for example, aiming to reduce and replace the use of (micro)plastics;

Restoring marine ecosystems

11. Regrets the lack of coherence in the title of the action plan, as well as the lack of a holistic set of proposals in the action plan, as the plan mainly focuses on altering the fishing practices that affect species and habitats and does not address the potential for alignment between fishing techniques and practices and the protection or restoration of ecosystems; recalls the specific relevance of finding a balance between requirements for users and gains for nature to ensure predictability and legal clarity, and stresses the need for fishers to be part of the solution, instead of being put forward as the cause of the problem;
12. Welcomes the fact that the action plan also addresses the potential for introducing additional measures to boost selectivity, including innovations to improve the selectivity of fishing gear and devices and measures to reduce catches of juveniles and the by-catch of sensitive species; recalls that incidental catches of sensitive marine species have to be reduced and, where possible, eliminated so that they do not threaten the conservation status of these species, as required by Regulation (EU) 2019/1241 of the European Parliament and of the Council of 20 June 2019 on the conservation of fisheries resources and the protection of marine ecosystems through technical measures;
13. Welcomes the Commission's calls to reduce the by-catch of sensitive species; highlights, in particular, the urgent need to act to reduce the by-catch of common dolphins and porpoises by establishing short-term closures of certain fishing areas combined with acoustic deterrent devices and improved monitoring systems, in line with scientific advice; recalls that financial compensation and incentives are available under the European Maritime Fisheries and Aquaculture Fund (EMFAF) for mitigating the socio-economic impacts of those measures;

14. Emphasises the need to develop and support initiatives to restore marine ecosystems, which can only be brought about if policymakers fully engage and cooperate with those whose livelihoods are dependent on those marine areas; requests, with that aim, financial support for scientific studies and data collection on marine ecosystems, financial compensation and incentives, for instance through the European Maritime Fisheries and Aquaculture Fund (EMFAF), which should be used to provide effective support for EU fishing fleets transitioning to more selective fishing techniques, and in particular to support the fishers most affected by the restrictions, as well as to mitigate the socioeconomic impacts of restrictive measures;
15. Stresses, for example, that scientific studies show that increasing mesh sizes and minimum landing sizes would make it possible to leave the youngest fish in the water and therefore increase the chances for fish populations to reproduce, leading to higher yields for fishers and higher landings per unit effort;
16. Reiterates the objectives of protecting at least 30 % and strictly protecting at least 10 % of EU seas by 2030; notes that the EU has made progress in designating new MPAs, both as part of the EU Natura 2000 network and through complementary national designations;

Marine protected areas (MPAs)

17. Highlights that MPAs are diverse in terms of size, species, habitats and ecosystems to be protected, are established with different conservation objectives, and should not be seen as uniform areas that all bring the benefits of well-managed MPAs for marine ecosystems; considers, therefore, that the Commission's action plan presents an oversimplified and over-generalised approach, thus giving the impression that all MPAs can be implemented and managed in the same way, illustrated for example by proposals related to certain fishing gears and to the phaseout of mobile bottom fishing in all MPAs by 2030; calls for a balanced approach on the definition and implementation of MPAs, taking into account the conservation objectives of each specific areas, but also activities that traditionally use those areas, as well as the dynamic and changing environment resulting from climate change, while ensuring the effective participation of fishers in their designation and management;
18. Notes that there is a strong scientific consensus that MPAs can be beneficial to fisheries because of their spillover effect and their positive effects on recruitment, for example, through the protection of reproduction sites, juveniles and big mother fish with high reproductive capacities, as shown in various MPAs across the EU; highlights that, when successful, MPAs offer substantial socio-

economic benefits, especially for coastal communities and the fisheries and tourism sector, and that MPAs can perform key ecological functions for the reproduction of fish populations, such as by providing spawning grounds and nurseries, and improve their resilience;

19. Calls to the attention of the Commission and the Member States the fact that other effective environmental protection instruments, such as other effective area-based conservation measures, should be considered in the action plan to help achieve targets and maximise the effects of the measures that have already been implemented in a dynamic and changing environment resulting from climate change, as well as to help to keep proportionality among all measures;
20. Calls on the Commission and the Member States to implement the protective or restrictive measures needed to achieve the conservation and restoration targets specific to each of all these MPAs, including the technical measures needed to achieve the targets, and through sufficient funding, starting with the areas most at risk and the Natura 2000 areas that aim to protect marine habitats; recalls the legal obligations of the Member States and highlights that the Commission has opened procedures against certain Member States for presumably not fulfilling their obligations under the Habitats Directive¹;
21. Considers that MPAs and other protected areas are tools, not objectives in and of themselves; recognises that their success lies in them being accepted and embraced by fishers, coastal communities and other stakeholders; calls for the Commission and the Member States to launch and fund scientific research programmes and calls for the inclusion of the fisheries sector, including its artisanal component, as well as other relevant stakeholders, in the design, management, implementation, monitoring and surveillance of MPAs;
22. Considers that the engagement of science, the fisheries sector and all relevant stakeholders cannot be pursued only by the EU, especially in relation to preventing bad practices by foreign fleets; calls for further efforts to be made to address global activities detrimental to ocean protection, including by fleets of non-EU countries, such as the Chinese fleet, and for consideration to be given to establishing a global network of MPAs;
23. Expresses its deep concern regarding the impact of oil and gas extraction on the marine environment, as well as on fisheries and aquaculture; reiterates its call to prohibit all environmentally

¹ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7).

damaging extractive industrial activities, such as mining and fossil fuel extraction, in MPAs;

Bottom contacting fishing gears

24. Highlights that many Union vessels operate with mobile bottom contacting fishing gears, and that many coastal regions are socially and economically dependent on activities using mobile and fixed bottom contacting gears, such as shellfish farming activities; highlights that restrictions on or the closing of fishing zones to bottom contacting fishing gears are not simply a matter of moving the activity of fishing vessels to different fishing grounds; stresses that it is necessary to take into account, among other things, the possible available resources that can be captured with these gears, the practical experiences of fishers, the presence and redistribution of fishing vessels in adjacent areas in order to avoid an overlap that could lead to conflict on the use of space, increased pressure in other fishing areas and the deterioration of working conditions;
25. Recalls that the moves towards regionalisation made during the last CFP reform were an attempt to move away from a one-size-fits-all approach whereby decisions were overly centralised within the EU; welcomes the measures proposed in the action plan to improve regional cooperation; considers however, that the action plan takes some steps in the opposite direction, in particular in relation to its proposals on bottom trawling;
26. Considers that there have been several initiatives within and outside of the action plan concerning the same fishing techniques that have created a patchwork of initiatives and put into question the coherence and predictability of actions that will be taken at EU level and have a severe impact on the trust of fishers and fisheries communities in (EU) policy- and decision-making processes;
27. Considers that any plan to implement provisions or restrictions on the use of any particular fishing gear needs to be made in line with other policies, and take into account all stakeholders, as well as all relevant food security, socioeconomic, environmental, technical and scientific aspects; reiterates that actions supported by consensus and supported by these considerations will have greater success and a positive effect on their implementation;
28. Believes that the consequences of any action plan or legislative proposal need to be based on scientific and socioeconomic assessments and evaluations; notes the lack of perspective on the consequences of certain aspects of this action plan, for example the Commission's calls to Member States to prohibit mobile bottom fishing in the MPAs that are Natura 2000 sites under the Habitats Directive that protect the seabed and marine species by the end of March 2024 on the one hand, while on the other hand, in parallel and

with the same deadline, its requests that Member States provide information on how they intend to ensure that mobile bottom fishing is phased out in all MPAs by 2030 without waiting, for instance, for the scientific and socioeconomic conclusions of previous proposals; welcomes the fact that the Commission has acknowledged that a blanket approach banning mobile bottom contacting fishing is not suitable to achieve the objectives of the action plan;

29. Considers that measures related to bottom trawling should be assessed in line with all possible guidance, such as that of the International Council for the Exploration of the Sea or the Scientific, Technical and Economic Committee for Fisheries, as well as with the best available scientific data; considers that these measures should take into account that bottom trawling is one of the most common and most regulated fishing gears in Europe and that it should be, in priority, regulated in the framework of the Technical Measures Regulation (Regulation (EU) 2019/1241¹), whose aim is, as its title indicates, 'the conservation of fisheries resources and the protection of marine ecosystems';
30. Notes that scientific bodies such as the International Council for the Exploration of the Sea and many peer reviewed scientific studies have demonstrated and recognised that mobile bottom contacting fishing gear has an impact on ecosystems; highlights, however, that the effect of trawling is variable and, depending on several factors such as the type of fisheries, they are considered by science as sustainable and compatible with achieving seabed conservation objectives or stocks being exploited above maximum sustainable yield levels;
31. Highlights that the Commission's intention to impose measures through its action plan, rather than letting the co-legislators decide, risks going against good governance and dialogue between stakeholders and different levels of administration and risks undermining the interinstitutional balance and each institution's role in the decision-making process;

Eels

¹ Regulation (EU) 2019/1241 of the European Parliament and of the Council of 20 June 2019 on the conservation of fisheries resources and the protection of marine ecosystems through technical measures, amending Council Regulations (EC) No 1967/2006, (EC) No 1224/2009 and Regulations (EU) No 1380/2013, (EU) 2016/1139, (EU) 2018/973, (EU) 2019/472 and (EU) 2019/1022 of the European Parliament and of the Council, and repealing Council Regulations (EC) No 894/97, (EC) No 850/98, (EC) No 2549/2000, (EC) No 254/2002, (EC) No 812/2004 and (EC) No 2187/2005 (OJ L 198, 25.7.2019, p. 105).

32. Emphasises the complexity and diversity of managing the eel stock, which cannot be confined to a single marine-focused approach; reiterates that the Eel Regulation was found to be fit for purpose by the Commission's evaluation in 2020; is nevertheless of the opinion that better implementation of the Eel Regulation and additional strengthened actions by the Member States are needed, in order to ensure a comprehensive approach in the implementation of the Regulation; reminds the Commission and the Member States to make full use of the Eel Regulation as the core policy for the management and recovery of the eel stock, ensuring a holistic and consistent approach that captures both the marine and freshwater life stages of the eel and addresses both fisheries and non-fisheries impacts by fully implementing measures in all relevant areas;
33. Is of the opinion that measures taken outside of the context of the Eel Regulation may undermine the consistency of adopted policy; expresses deep concern therefore in relation to the non-holistic approach taken in Council Regulation (EU) 2023/194¹, which has restricted eel fisheries by introducing a six-month closing period without proper consultation with stakeholders and without considering a full package of measures in other policy areas or appropriate compensation, including measures taking into account the socioeconomic effects; considers, therefore, that a prior analysis of the species' recovery, as well as their possible role in combating invasive species should be carried out before further restrictive measures, as announced in the action plan, are considered;
34. Reiterates its call for the creation of an eel-specific expert group to ensure full and balanced representation of all relevant stakeholders; urges the Member States to regularly update their eel management plans and adhere to their reporting obligations under the Eel Regulation;

Member States' reactions to the action plan

35. Notes the numerous declarations and clear statements by representatives of the Member States raising clear concerns with the action plan and its associated uncertainties; notes that the Member States have especially questioned the overly simplistic approach taken by the Commission in relation to bottom trawling restrictions in MPAs;
36. Considers the positioned opposition between the development of the fishing industry and the protection of marine biodiversity to be a dead end; believes that both can be achieved in a balanced way, as

¹ 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).

stated by Member State representatives after the presentation of the action plan;

37. Welcomes the creation of a special dialogue group made up of the Commission's Directorate-General for Environment (DG ENV) and Directorate-General for Maritime Affairs and Fisheries (DG MARE), the Member States and interested stakeholders; considers that the role of the dialogue group should be to facilitate knowledge and possible discussions between fisheries and environmental communities, as well as to give Member States a platform for transparency and dialogue on the implementation of their roadmaps;

Legal implications of the Commission's action plan

38. Reaffirms its commitment to exercise Parliament's prerogatives and competences with regard to any initiative, such as legislative proposals and delegated or implementing acts, including those linked or unlinked to the action plan;
39. Notes that, although the action plan is not legally binding, its implementation will entail significant socioeconomic costs for the Member States and their fleets, as it contains around 90 measures in the form of regulations, guidance, analyses, roadmaps, studies, reports and initiatives; calls on the Member States and the Commission to conduct the necessary studies in due time as part of the preparation for any new or reformed regulations or initiatives, as well as to take into account and engage with the marine spatial planning processes, between regions and sea basins, but also among different Member States and with non-EU countries to ensure socioeconomic benefits;
40. Believes that measures included in the action plan should follow, where possible, the ordinary legislative procedure to ensure greater transparency and should include a genuine impact assessment, with the proper involvement of all stakeholders;
41. Notes with concern the lack of clarity on the legal consequences of the action plan, owing to statements made by the Commission, for instance during its presentation to Parliament's Committee on Fisheries and to different stakeholders; considers that this has not brought clarity and stability for the fishing sector and has had a damaging impact on many sectors of the fishing industry at a time when the uncertainties caused by the cumulative consequences of several crises are weighing heavily on the morale of people working in the industry;
42. Notes with concern that the Commission is increasingly using non-binding instruments, such as communications, which are commonly referred to as 'soft law', to present very concrete policy measures without following up with legislative proposals; considers that any uncertainty between the intended legal meaning of the

communications presented and their actual legal effect is likely to affect legal certainty and predictability for the sector, as well as raise legal questions regarding institutional balance and the limits and exercise of EU competences; believes, therefore, that Commission communications should not be used to put forward binding measures;

43. Regrets that communication from the Commission and, in particular, from DG MARE and DG ENV, has included conflicting statements regarding the binding effects of the action plan; calls on DG MARE and DG ENV to listen more closely to the specific characteristics of the fisheries sector before preparing or proposing joint initiatives;

Socioeconomic aspects and food security

44. Supports the Commission President's 2023 State of the Union address, declaring that for every new piece of legislation a competitiveness check would be conducted; requests that the action plan, all fisheries-related legislative proposals and other initiatives include a competitiveness check for their socioeconomic impact on the different activities and their effect on coastal communities, as well as on the recreational fisheries sector and the cumulative effect on the availability of food supply;
45. Regrets the fact that the action plan is not accompanied by a socioeconomic study, impact assessment with a scientific analysis or an intermediary report and does not propose any kind of additional financing measures for the green and energy transitions; brings to the attention of the Commission the fact that strategic documents, such as this action plan, should be presented to the different stakeholders and take account of their views in a more coordinated and clear way, and should include full environmental, social, economic and legal assessments of their implementation; calls for all necessary means, including incentives and compensatory mechanisms, to be put in place for a just and balanced transition;
46. Recalls that Member States must fully implement Article 17 CFP when allocating fishing opportunities; calls on the Member States to allocate fishing opportunities on the basis of transparent and objective criteria based on the social and environmental performance of fishing fleets and to implement Article 17 as a tool to incentivise low-impact responsible fishing practices;
47. Highlights that the action plan should contribute equally to the pillars of sustainability in the CFP (environmental, social and economic) and, among other things, contribute to productivity growth, decent working conditions in the sector, in particular for small-scale fisheries, and stable markets, ensure food-safe, qualitative and sustainable products without compromising food security and autonomy, allowing fishers to make full use of the

fishing quotas allocated to them, and contribute to environmental recovery and protection to mitigate climate change and adapt to its impacts;

48. Welcomes the Commission's call for data to be collected on the impact of recreational fisheries, but underlines the need to also consider the economic and social impacts of sustainable recreational fishing activities; considers that recreational fisheries may offer excellent opportunities to foster the 'citizen science' approach;

International action and reciprocity

49. Considers the UN High Seas Treaty to be a significant achievement at the international level for the protection of the oceans; regrets, however, that the action plan does not insist enough on the need to include reciprocity in international agreements; considers it therefore essential that, at international level, the EU work with other counterparts to implement rules with objectives and goals similar to the ones set by the CFP, especially Article 28(2)(d) thereof, the European Green Deal and the SDGs;
50. Emphasises the importance of the EU working with developing countries, in particular the countries in Africa, the Caribbean and the Pacific Ocean, to prepare for the future development of renewable marine energy by sharing the EU's expertise in marine planning and industrial development; calls for the EU to scale up capacity building and financing for developing countries for improving ocean and coastal management, developing ocean economy strategies, bridging governance gaps and tackling illegal, unreported and unregulated fishing and illicit trade in marine resources; underlines the importance of coming up with responses that meet local needs for zero-emission energy, that ensure marine ecosystems are protected and that preserve traditional activities such as fishing; stresses the importance of involving coastal communities in the implementation of these actions; highlights further the importance of supporting sustainable fishing practices in the outermost regions, based on the sustainable use of marine resources and management of fisheries, aquaculture and tourism, as a way to ensure the long-term socioeconomic development of these regions;
51. Calls for the EU to promote transparency in fisheries and other extractive industries at sea in partner countries, as it is key to stopping overfishing, biodiversity loss and human rights violations; stresses that coastal developing countries can implement the standards outlined in the Fisheries Transparency Initiative and the Extractive Industries Transparency Initiative to improve transparency;
52. Asks that any restrictions, whether based on the action plan or not, should be automatically mirrored for products imported from non-EU

countries, especially given the fact that the EU imports 70 % of the fish it consumes; stresses that it is essential to ensure consistency between internal and external policies, as well as a level playing field between EU and non-EU operators;

53. Notes that mobile bottom gear catches account for 25 % of total European catches; believes that new management rules, in particular limitations or restrictions on the use of fishing techniques at EU level, should not pose a risk to food security, nor lead to an increase in imports of fishing products, and even less so if these products are captured using fishing gears with limited or restricted use in the EU;

Working with the fisheries sector

54. Supports the fisheries sector's ongoing efforts to improve the selectivity of fishing techniques and to reduce its environmental impact; highlights the positive examples of restoring species stocks in protected areas while maintaining fishing activities; supports further efforts to boost co-management arrangements where local stakeholders take responsibility for sustainable management and invest more in research, innovation and the development of new fishing gears and techniques; highlights the role of fishers as 'guardians of the sea', their commitment to restoring fish stocks and their contribution to the recovery of marine ecosystems;
55. Notes that, according to the Commission, tangible progress towards more sustainable fisheries on the ground has been achieved over the last decades thanks to the CFP; highlights, however, that this recovery has come at high costs for most fishing communities;
56. Highlights the importance of including all relevant stakeholders, from fishers to civil society representatives, in the decision-making process and implementation of actions that contribute to the protection and restoration of marine ecosystems, and that can support sustainable and resilient fisheries;
57. Stresses that particular attention should be paid to gender equality and women's empowerment in view of the crucial role of women and young people, especially in the sustainable ocean-based economy and marine conservation areas;

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