LONG DISTANCE ADVISORY COUNCIL

ADVICE TO THE EUROPEAN COMMISSION

Recommendations for NEAFC 45th Annual Meeting (London, 10-13 Nov. 2026)

Date of adoption by Executive Committee: 14th of October 2026

Ref. R-07-Ej.20 (2026-2027)/WG2

Background

The Long Distance Advisory Council (LDAC) provided recommendations to the European Commission (EC) on the North-East Atlantic Fisheries Commission (NEAFC) in 2024 (R-02-Ej.18 (2024-2025)/WG2) and 2025 (**R-08-Ej.19(2025-2026)/WG2).** These new recommendations are key for the EC to take on board in advance of the 45th annual meeting that will be held from 10-13 November 2026 in London.

Due to the political situation following the Russian aggression on Ukraine, NEAFC has gone through difficult years, with most committee and working group meetings being cancelled, affecting the quality and speed of NEAFC. However, Parties nevertheless found ways of keeping the NEAFC processes functioning through maintaining most of the meetings among like-minded parties.

A new development in 2026 is the more important role played by the meetings of the Heads of Delegation (HoD). While this meeting format regrettably restricts stakeholder involvement beyond the parties and the Secretariat, it is to be cautiously welcomed to secure consensus-based decision-making in the face of ongoing geopolitical tensions. HoDs have met 4 times since January 2026 and the LDAC welcomes its discussions on several key topics such as the implementation of an ecosystem approach to fisheries management (EAFM) and the progress made in relation to NEAFC third performance review in relation to the identification of topics and drafting of Terms of Reference, an agreed timeline and selection process for panellists (see Section 2.2 below).

The LDAC encourages the EC to continue its leading role in securing EAFM implementation in NEAFC by seeking the adoption of a concrete measure or policy at this year's annual meeting considering all human activities, not fishing in isolation, when implementing EAFM.

The EC and the other five NEAFC parties should be mindful that 2026 marks two important and relevant milestones:

- The 80th anniversary of the 1946 International Convention for the Regulation of the Meshes of Fishing Nets and the Size Limits of Fish (the "London Overfishing Convention") – in which several EC Member States and their neighbouring nations agreed the region's first post-war agreement to collectively regulate fishing (laying the foundations for NEAFC itself);

- The 25th anniversary of the Reykjavik Declaration on Responsible Fisheries in the Marine Ecosystem - in which over 60 nations, including all six NEAFC parties, pledged to manage fish by protecting the whole, interconnected ecosystem rather than counting single species in a vacuum. This was the birth of EAFM as an internationally agreed approach.

The upcoming NEAFC meeting is an important opportunity for the EU, and the other NEAFC parties, to honour the legacy of these two historical moments by adopting meaningful measures to integrate climate change in decisions and to protect the marine food webs that keep our seas healthy and our fisheries productive.

Technical considerations and recommendations on selected themes

1. Management of the stocks in NEAFC

Introductory remarks

The LDAC acknowledges the remit of the Pelagic Advisory Council (PelAC) to provide advice on fishing opportunities and technical measures for small pelagic stocks under NEAFC management and the need to strengthen dialogue and coordination between LDAC and PelAC on these topics. In the future the LDAC could consider suggesting a joint recommendation with PelAC on certain aspects of shared interest; provide advice on demersal and deep-sea species not under the remit of the PelAC or the NWWAC (in the case of haddock); and/or comment on broader international governance aspects related to the functioning and performance of NEAFC as an RFMO.

Recommendations

1.1. The LDAC notes the poor management of the three large pelagic stocks (Northeast Atlantic mackerel, Atlanto-scandian [AS] herring and blue whiting) by the Coastal States, including persistent failure to agree on shares of fishing opportunities and the unilateral setting of quotas above the scientific advice and their historical fishing rights by some parties leading to overfishing of these stocks, as well as a lack of progress on agreeing management plans/long-term management strategies (LTMS).

The LDAC urges the EC to quickly find an arrangement with other Coastal States that brings fishing back to sustainable limits for these stocks, which is an obligation under the Common Fisheries Policy.

1.2. The EC is encouraged to take a leading role in addressing the critical issue of overfishing. This should be achieved by proposing to other contracting parties to NEAFC the agreement of fair and reasonable sharing arrangements as well as other appropriate management tools for the relevant stocks to prevent unsustainable fishing practices.

Overfishing not only threatens the health of our marine ecosystems but also undermines the long-term economic viability of the EU fishing industry due to uneven level playing field. By collaborating on the creation of robust measures, NEAFC parties can ensure that Total Allowable Catches (TACs) are set in line with biologically sustainable levels and that unilateral actions that inflate quotas are effectively managed.

In this regard, it is strongly recommended that the European Commission make full use of the amended measures addressing non-sustainable fishing practices by non-EU countries on shared fish stocks of common interest.

Furthermore, the EC should advocate for the establishment of comprehensive conflict dispute resolution mechanisms (DRM) within NEAFC. These DRMs would provide a structured approach to resolving disputes and ensuring that all parties adhere to agreed-upon sustainability standards. By working together with other contracting parties, the EC can help develop a framework that promotes equitable and sustainable fisheries management.

1.3. The LDAC believes that long-term management strategies (henceforth, LTMS) are an essential tool for the management of most of the NEAFC area's small pelagic and demersal stocks, and a facilitating element to improve the governance of these stocks, as is acknowledged by all NEAFC parties. The aim of LTMS is to shift the management approach from short term reactive decision-making to more automated decision rules that can achieve longer-term objectives for a fishery. LTMS should have an integrated approach considering all human economic activities other than fishing such as deep sea mining, underwater cables, commercial transports, etc. They represent an ideal mechanism for managers to start implementing an EAFM by incorporating ecosystems and climate-related considerations in the discussion, for example around the selection of objectives for the LTMS.

PelAC is already active in this work and as a recent example, the LDAC supports the recommendations of the July 2025 PelAC input following the publication of the Benchmark for mackerel. In this advice, the PELAC recommends "*the Commission, and like-minded Coastal States, to draft a management strategy evaluation (MSE) request that would investigate the inclusion of ecosystem considerations, rebuilding, and the consequences of implementation errors in a long-term management strategy (LTMS).*

Consideration should be given to setting clear operational objectives and incorporating ecosystem considerations, including climate robustness and resilience testing, and exploring further impact of predation and the role of mackerel in the ecosystem".

The LDAC also supports the proposal put forward by PELAC of incorporating the risks related to not having shared arrangements (and thus TAC overshoots) embedded in the LTMS through undertaking a MSE process for these stocks that would generate scenarios that visualise the impacts of current TAC overshoots (implementation errors).

A new advice related to mackerel MSE for North East Atlantic, agreed in October 2026[1] states that *"the PelAC believes this situation calls for an ambitious and sustainable response. In this regard, the development of a Management Strategy Evaluation (MSE) appears to be the most appropriate tool to support the design of a long-term management strategy for the stock. However, PelAC emphasizes that an MSE should not be viewed merely as a technical exercise to compare different harvest control rules. Instead, it must be a collective reflection process to define management objectives, assess trade-offs between these objectives, and test the robustness of different strategies against the biological, environmental, and governance uncertainties that currently characterize this stock and fishery*".

1.4. The Coastal States consultations and arrangements laid out as an informal setting are not fit for purpose for transparent and adequate decision-making within the NEAFC Convention area. The lack of sharing arrangements and the current situation of fishing at unsustainable levels provides evidence for this. The LDAC wishes to contribute to the discussions on how the EU and other parties can improve the functioning of the Coastal States' consultation informal process and of NEAFC with respect to the management of the pelagic fish stocks.

The LDAC also notes that the Coastal States agreed on informal guidelines on September 2025 for NEAFC observers participating in plenary meetings. The LDAC strongly supports the introduction of basic observer rules in the Coastal States consultations and the idea of granting NEAFC observers the right to participate in these consultations. However, the LDAC regrets that these guidelines do not allow the observers to systematically make an oral statement, as this option is left upon invitation of the Chair. The LDAC recommends that the EU agrees with the other Coastal States to revise these informal guidelines so that it ensures the right for observers to express their opinion through an oral statement during all consultations (both intersessional and annual) and not subject to the discretion of the Chair.

[1] https://www.pelagic-ac.org/wp-content/uploads/2026/10/2627PAC03_PelAC-MSE-request-NEA-MAC.pdf

2. Governance of NEAFC and performance review

2.1. Improving governance and stakeholder engagement in policy making

Introductory remarks

The LDAC is pleased to note that important progress has been achieved in relation to observer access, including for the Working Group on Future Development of NEAFC (WG-FDN), for the Collective Arrangement and, last year, for the Permanent Committee on Monitoring and Compliance (PECMAC). The LDAC acknowledges the instrumental role of the EC in suggesting this procedural change for PECMAC to other NEAFC parties and obtaining that this key committee is open to observer participation. The LDAC notes the growing importance of compliance monitoring in relation to achieving well-functioning spatial management regimes (see section 4 of this advice) and considers that stakeholders could contribute constructively to PECMAC's role in ensuring the effectiveness of benthic protection measures and other biodiversity-focused instruments. The LDAC is also happy to note that an extension to three years for the duration of observer status to the annual Commission meeting has been agreed at last year's meeting. This new rule will lighten the bureaucratic burden for observer organisations that previously had to reapply every year.

Recommendations

Unlike for other RFMOs, the EC does not have a formal stakeholder consultation process in place for NEAFC. The LDAC would like to see a formalised consultation process like those in place for Northwest Atlantic Fisheries Organization (NAFO) or International Commission for the Conservation of Atlantic Tunas (ICCAT). A suggested first step would be to call for a separate technical meeting with relevant stakeholders (including PelAC and LDAC) in preparation of the Annual Meeting in late September/early October when the mandate of the EC is being negotiated to exchange views on key agenda items. This should not hamper the possibility for MARE staff to attend and exchange views at the meeting of LDAC WG 2 in October, considering that the LDAC is a legitimate consultative body that provides advice in writing to the Commission. The LDAC also requests to meet the EC for preparing NEAFC intersessional meetings other than the Annual Meeting, such as PECMAS or relevant Working Group meetings. In terms of follow-up, the EC is advised to make further efforts in communicating the mandate provided by member states once agreed and how the stakeholders' advice (including the LDAC) is considered.

2.2. NEAFC Performance review

Introductory remarks

NEAFC was expected to undertake a third performance review in 2024. The Terms of Reference have been agreed by the parties with the aim of a report in 2025. A key point of this performance review is that it will address governance issues like the current mismanagement and overfishing by coastal states of the three pelagic stocks, as well as the lack of transparency and inclusiveness regarding NEAFC decision making. Despite the important step of agreeing on an EC-proposed timeline (document AM-2025-74) that included a first meeting of panel in May 2026, it is LDAC's understanding that the first step of selecting panellists for the review panel has not yet been completed.

In relation to governance, there is the outstanding issue in the Barents Sea on the role of the joint Norway-Russian Commission which is the decision-making body in relation to stocks/areas that fall under the remittance of the NEAFC. Another example is the situation of redfish in the Irminger Sea, where Russia sets unilaterally its own TAC.

Recommendations

2.2.1. The LDAC urges the Commission and other NEAFC Parties to accelerate the process of launching a performance review, noting that the last NEAFC performance review was published more than ten years ago, in 2014. The LDAC would like to highlight that regular performance reviews are considered by UN bodies like the FAO Committee on Fisheries (COFI) and the Review Conference of the UN Fish Stocks Agreement (in its 2023 recommendations) as one of the key tools to foster and improve compliance of RFMOs.

Also, the LDAC regrets the consequences this could have on the time other RFMOs put into their performance reviews and recommends the introduction of new tools allowing to have a leverage when the RFMO is not completing its obligations.

2.2.2. One of the key questions is how EU stakeholders in general, and the LDAC in particular, would fit in the consultation process of the NEAFC performance review. Given that the participation of the LDAC and formulation of specific recommendations are usually channelled via and submitted to the European Commission, we would like to ask for a dedicated meeting on this subject with the Commission, depending on the timing agreed by NEAFC, with the possibility of extending the invitation to the designated independent experts panel, if possible.

2.2.3. The performance review should address the functioning of the Northeast Atlantic fisheries management bodies in light of the chronic failure of the ad hoc Coastal States consultations to manage the large pelagic stocks sustainably.

The performance review must also address the issue of the separation of management of the same pelagic species between a high seas RFMO (NEAFC) and an informal inter-party forum (Coastal States).

Urgent changes to the pelagic species governance regime are needed, both to resolve immediate concerns around the failure by the Coastal States to secure sharing arrangements for key species, and to ensure management stability in face of changing political and environmental conditions, like the impacts of climate change on these stocks and fisheries.

It must be noted that the last performance review already concluded that management of the large pelagic stocks should be integrated into a single forum. The LDAC calls the new performance review to go beyond repeating this same conclusion and identify specific barriers to this needed change and make recommendations to overcome these barriers.

2.2.4. Finally, the LDAC calls for NEAFC members to be ready to make use of the recommendations that will be produced by the performance review. This is particularly relevant in a context where NEAFC, as the other RFMOs, needs to be proactive in the face of new priorities in ocean governance, such as under the Kunming-Montreal Global Biodiversity Framework (GBF) and the UN Agreement on Marine Biological Diversity of Areas Beyond National Jurisdiction (BBNJ). These international agreements necessitate more adaptive governance, wherein responsibilities for sustainable use and biodiversity protection are better integrated and decisions are made more coherently across sectoral management bodies.

3. Progress towards an Ecosystem Approach to Fisheries Management through inclusion of ecosystem considerations/ecological objectives

Introductory remarks

NEAFC has made significant progress toward implementing an ecosystem approach to fisheries management, beginning in the early 2000s with measures to protect vulnerable marine ecosystems (VMEs), including, where it revealed necessary, closing certain areas to bottom fishing, and with prohibiting directed fisheries on deep-sea sharks and rays. While NEAFC has not yet developed a comprehensive ecosystem approach framework like its neighbouring RFMO the Northwest Atlantic Fisheries Organization (NAFO), it is taking steps by requesting scientific advice from ICES and exploring operational biodiversity and ecosystem objectives. NEAFC also benefits from collaboration with the Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR), which oversees broader environmental protection in the Northeast Atlantic. One of OSPAR's objectives under its 2030 Environment Strategy is to have a regional ecosystem-based approach that includes all sectors.

The ICES advice on NEAFC request on Ecosystem Approaches to Fisheries Management, along with the Expert report on scoping ecosystem approaches to fisheries management to assist NEAFC request to ICES, were presented at the 2024 annual meeting and the parties agreed to dedicate an additional day of PECMAS in October 2025 to discussing it. The advice analyses five proposed approaches to developing operational objectives to deliver an EAFM. These are referred to by ICES as offering a wide range of complexity, effectiveness and relevance to NEAFC. The advice presents "risk-based" approaches such as those used by Australian fisheries management organisations, an approach used by the United States (ecosystem state indicators), by the European Union (Marine Strategy Framework Directive) and by NAFO (the ecosystem approach roadmap).

At the October 2025 NEAFC Like-minded Parties Management and Science EAFM workshop, NEAFC parties also discussed a framework submitted by the EU which outlined three strategic objectives (largely drawn from within the NEAFC Convention text) and 16 related operational objectives grouped into four clusters. This is the most comprehensive proposal on how to operationalise EAFM in NEAFC put forward by any party to date; the EC are to be commended for sharing a proposal this comprehensive and it is regrettable it did not generate sufficient consensus or discussion at the 2025 annual meeting to lead to a concrete outcome.

However, LDAC encourages the EC to contribute to the momentum in 2026 towards the adoption of an EAFM-focused measure or policy at the 2026 annual meeting. LDAC notes and welcomes the discussion held during the likeminded Parties meeting on management and science (26 March 2026) and the meeting of the HoD in May 2026, where a suggested draft recommendation for a potential Conservation and Management Measure (CMM) was discussed to safeguard ecosystem structure and function, to be considered at the next annual meeting.

This draft Recommendation is focused on "ecosystem structure and function", one of six elements of the "ecological well-being" component of the United Nations' Food & Agriculture Organization (FAO) Ecosystem Approach to Fisheries Implementation Monitoring Tool (EAF IMT) component tree.

The EAF IMT has already been identified by the parties and ICES as a key instrument in conceptualizing the NEAFC approach towards EAFM and the definition of operational objectives. The "ecosystem structure and function" component was also already identified by ICES at PECMAS-01 2023 as lacking a specific CMM or management approach in place at NEAFC. The Recommendation lays out an iterative process in which ICES, PECMAS and the NEAFC Commission collaborate to assess whether a given set of proposed annual measures will (or are likely to) negatively impact ecosystem structure and function. It is closely and deliberately modelled on Rec 19:2014, which lays out a similar iterative process of annual and longer-term advice development and management measure agreement to address "benthic habitat impacts" (another element of the EAF IMT).

In this context, the LDAC is following with interest the ongoing work of NEAFC on EAFM approaches to define ecosystem and biodiversity objectives; the work undertaken under the OSPAR-NEAFC Collective Arrangement to develop a cross-sectoral ecosystem-based approach; and the discussion on long-term management strategies (LTMS) as a vehicle for EAFM.

Recommendations

3.1. The LDAC notes that NEAFC has made important progress at the three last Annual Meetings and PECMAS meetings towards an EAFM, by requesting ICES to provide advice on different approaches regarding the definition of ecosystem and biodiversity objectives, and by starting to discuss these approaches and suggesting their preferences. The LDAC supports this pathway as a way to implement EAFM. However, the LDAC note that fisheries are the only human activity considered in the advice and recommend, in order to have a more holistic approach, to take into account all human activities before suggesting new fishing management measures, which is in line with the OSPAR objective in its 2030 Environment Strategy of developing a practical approach for regional-scale ecosystem-based management, including through the Collective Arrangement and in cooperation with fisheries management bodies and other competent organisations.

3.2. Regarding ICES advice assessing five approaches to indicate which operational ecosystem objectives should be prioritized, the LDAC recommends that NEAFC aims to achieve the appropriate balance between feasibility and ambition among the data-based approaches its parties select from those suggested by ICES. The parties must ensure that this discussion results in meaningful objectives and tangible actions for the approach chosen, with a focus on implementation, as well as consistency with existing frameworks such as OSPAR (see 3.4 below).

3.3. The LDAC encourages the NEAFC parties to explore further the different approaches outlined by ICES, and to express their preferences among these approaches or suggest another suitable approach to deliver on EAFM. The 2026 Commission meeting should be the moment when a consensus is found on which approach to take so that a discussion can be started on which concrete actions to implement that stem from this approach.

3.4. NEAFC also committed to enhancing its collaboration with OSPAR. One of OSPAR's cross-cutting objectives, as stated in its 2030 Environment Strategy, is to develop a practical approach for regional-scale ecosystem-based management to strengthen ecosystem resilience to climate change and to safeguard the marine environment, its biodiversity and ecosystem services.

The LDAC advises that whatever option is chosen by NEAFC parties regarding an EAFM, it should be compatible and coherent with the broader aim of a cross-sectoral ecosystem-based approach for the Northeast Atlantic Region.

4. Spatial measures for conservation of habitats and species

4.1. Vulnerable marine ecosystems (VMEs)

Introductory remarks

The United Nations General Assembly (UNGA) resolution 61/105 (2006) requested RFMOs to, in accordance with the precautionary approach and ecosystem approaches, assess whether bottom fishing activities would have significant adverse impacts (SAIs) on vulnerable marine ecosystems (VMEs) and ensure that proper conservation and management measures are put into place to prevent such impacts. It also requested RFMOs to close areas to bottom fishing where VMEs (including seamounts and cold-water corals) are known to occur or are likely to occur (based on the best available scientific information) and ensure that such activities do not proceed unless conservation and management measures have been established to prevent SAIs on VMEs. Following a review of the implementation of UNGA Resolution 61/105, the UNGA Resolution 64/72 (2009) emphasized that impact assessments are to be conducted in accordance with the FAO Guidelines criteria. In addition, this resolution requested RFMOs and flag states to ensure that vessels do not engage in bottom fishing until such assessments have been carried out.

As a result of the 2011 review of the implementation of the UNGA resolutions 61/105 (2006) and 64/72 (2009) by RFMOs, UNGA Resolution 66/68 (2011) called for the strengthening of the procedures for carrying out assessments to take into account individual, collective and cumulative impacts. It also encouraged RFMOs to consider the results available from marine scientific research, including those obtained from seabed mapping programmes concerning the identification of areas containing VMEs and to adopt proper conservation and management measures, including closures.

A review of the implementation of these UNGA resolutions provisions was held in 2015 by the General Assembly. Since the adoption of resolution 61/105 in 2006, the UN General Assembly has continued to review how States and RFMOs address the impacts of bottom fishing on VMEs, with reviews of actions conducted in 2009, 2011, 2016 and 2022.

Following the 2022 review, paragraph 223 of resolution 77/118 of 9 December 2022 supports a further review, to be concluded in 2026, on the actions taken by States and RFMOs in response to the relevant provisions of resolutions 64/72, 66/68 and 77/118, with a view to ensuring the effective implementation of the measures therein and making further recommendations, where necessary.

Identification and protection of VMEs in NEAFC RA

The identification and protection of VMEs through VME Closed Areas (VME-CAs) has become a well-developed policy in NEAFC, with monitoring, control and surveillance mechanisms to ensure compliance and a robust scientific peer review process carried out by ICES. The role of ICES is to provide scientific and technical advice underpinning VME candidate areas and to regularly monitor the biological effectiveness of these areas. As a result, ICES has produced advice on areas where VMEs are known to occur or are likely to occur in EU waters and also provides recurring annual advice on the presence of VMEs in NEAFC waters and as described above, NEAFC has protected multiple VME areas since 2008.

The NEAFC VME-CAs were brought under a single management instrument in 2014 (Rec 19: 2014) and this instrument also commits the parties to review its implementation on a five-year basis. The last iteration of this review was in 2024.

Identification and protection of VMEs in NAFO RA

NAFO makes an explicit distinction between: “VME indicator element" and "VME indicator species". This distinction is laid out in NAFO’s Conservation and Enforcement Measures (NCEM):

- “*VME indicator element*" refers to topographical, hydro physical or geological features which potentially support VMEs, as specified in Part VII of Annex I.E. This includes seamounts, canyons, knolls, Southeast Shoal and Steep flanks > 6.4º. Specifically, the annex mentions the Fogo, Newfoundland, Corner Rise, and New England seamounts, located in the Regulatory Area (Figure 1), as physical indicators of VMEs.

The seamount areas qualify as Vulnerable Marine Ecosystems in relation to high seas fisheries, according to Criteria developed by FAO in the International Guidelines for the Management of Deep-sea Fisheries in the High Seas (FAO 2009) (FAO Guidelines). These areas meet the following VME criteria: uniqueness or rarity; life-history traits of component species; and functional significance of the habitat.

Moreover, summits and flanks of seamounts are listed in the FAO Guidelines as examples of features that potentially support vulnerable species groups or communities. These areas are currently protected from significant adverse impacts from bottom fishing activities under NAFO’s VME measures provided by Article 17.1 of the 2025 NAFO Conservation and Enforcement Measures.

- “*VME indicator species*" refers to species that signal the occurrence of vulnerable marine ecosystems, as specified in Part VI of Annex I.E. This includes large-sized sponges, small gorgonians, large gorgonians, sea pens, erect bryozoans, stony corals, etc.

Bottom fishing closures to protect seamount VME were first established in NAFO in 2007. Management measures are included in Article 17.3 of the NAFO Conservation and Enforcement Measures.

In 2012, 2014, 2015 and 2021 following advice from NAFO Scientific Council, revisions to the seamount VME closure boundaries were introduced increasing the overall area and biomass of VMEs protected in the NRA.

Current closures to bottom fishing activities are subject to review every 5 years. Previous reviews conducted in 2014 and 2021 verified the continued presence of VME and their continued protection through bottom fishery closure measures. The next full review of the NAFO VME bottom fishing closures (including the seamounts closures) is expected in 2027.

Recommendations for NEAFC VMEs

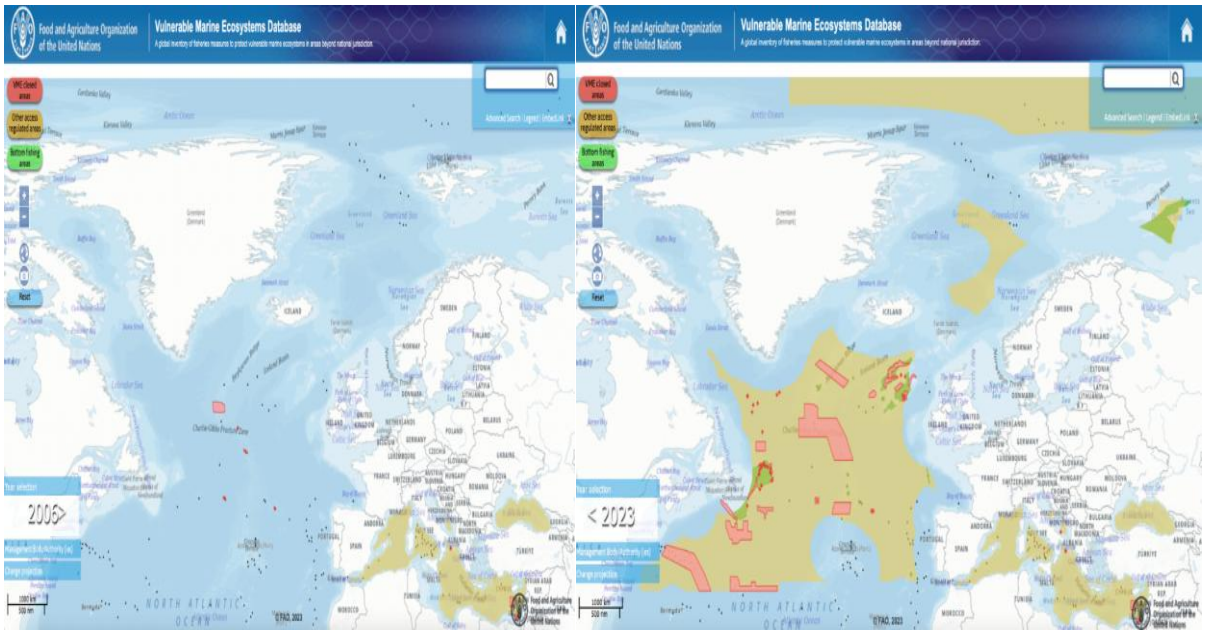
4.1.1. The LDAC notes that various interpretations of VME or VME indicator exist in RFMOs and EU regulations. It also notices that technical issues of some VME detection process (e.g. size of the c-square, buffer zone size, data definition, "likely to occur" VME robustness, stakeholder engagement, etc. of the deep-sea regulation) have been notified but never addressed. In line with the general orientation of simplification, the LDAC recommends that a specific ICES advice is issued reviewing the various VME detection process with the aim to rectify, simplify and homogenize the method to address VME detection. In line with the ICES advice released in September 2024 on the revision of VME detection in NEAFC, this revision should considerer an update of VME indicators. The LDAC considers this to be a key starting point for improving VME management.

4.1.2. The LDAC notes that UNGA Resolution 61/105 and subsequent resolution texts require the closure of areas where VMEs, including seamounts, "*are known to occur or likely to occur*" and that the current approach of ICES to VME identification with regard to the "*likely to occur*" commitment could be improved. The LDAC notes that other deep-sea RFMOs - most notably NAFO – consider any seamount features to be VMEs or VME indicator elements where VMEs are likely to occur. It also notes the evolution of identification and protection of VME between 2006 and 2023 (see images below).

This growing trend reflects both improved scientific survey capacity, the precautionary criteria applied by RFMOs and good management of bottom fishing activities. In light of this growing trend and the impact it has on fisheries, the LDAC suggests that the EU support a case-by-case analysis to evaluate whether the definition of protected area through VMEs additions answer the environmental protection purpose while taking in consideration the socio-economic impacts it is going to generate. To continue the improvement of consideration of "*likely to occur*", the LDAC recommends the need to seek robust advice on areas where VMEs are "*likely to occur*" in future ICES advice on this topic.

Several identified seamounts exist in the NEAFC Regulatory Area. Some have been closed to bottom fishing; others remain open to bottom fishing. The LDAC notes the strong scientific basis supporting the occurrence of VMEs on Josephine Seamount and that protection measures would be in line with numerous international commitments including UNGA Resolution 61/105.

Moreover, the LDAC notes the recent developments regarding the designation of the Dom Carlos Marine Reserve, by the Portuguese government which includes the Josephine Seamount within its boundaries. The LDAC equally notes that fishery activity, already under diverse regulations, still occurs on the Josephine Seamount, and that closure would have a socio-economic impact. On this basis, the LDAC to advises that the EU request NEAFC to seek specific advice relating to the status of Josephine Seamount as a VME, in line with NEAFC's designation of seamounts as VME indicator features, and the FAO guidelines calling for case by case assessments of areas that have VME characteristics exemplified by seamounts.





4.2. Marine Protected Areas (MPAs) and Other Effective Conservation Measures (OECMs) under the CBD Kunming-Montreal Global Biodiversity Framework

Introductory remarks

All NEAFC parties are signatories to the GBF and, as such, are committed to contribute to the achievements of its 4 goals for 2050 and 23 targets for 2030. Several targets present specific obligations for RFMOs, including the sustainable, safe and legal use of wild species, applying an ecosystem approach (Target 5), the sustainable management of wild species that benefits people (Target 9) and the substantial increase in the application of biodiversity-friendly practices in areas under fisheries management (Target 10).

Much political attention has been paid to the "30 by 30" Target 3: the effective conservation and management of 30% of marine and coastal areas through "ecologically representative, well-connected and equitably governed systems of protected areas and other effective area-based conservation measures". Where these areas should be, how they should be managed and the extent to which sustainable use should be permitted in them, has been a challenging discussion within the global community. The BBNJ Agreement will provide a mechanism for the designation of high seas MPAs and the NEAFC Convention Area already hosts several such MPAs designated through OSPAR.

The LDAC warns about the importance of well articulating the coming implementation of the BBNJ Agreement with the binding mandates and operational frameworks of RFMOs. The BBNJ presents a valuable opportunity to improve protection of marine biodiversity in areas beyond national jurisdiction, and its success will depend on the complementarity of its measures and not undermining existing regional fisheries management regulations and efforts. To avoid duplication, inefficiencies, or regulatory gaps, it is essential that BBNJ mechanisms build on and reinforce the science-based decision-making processes and scientific expertise already in place in RFMOs.

RFMOs have a key role to play in high seas spatial protections. They can contribute fisheries regulations that support the conservation objectives of MPAs and can evaluate whether their own area-based fisheries measures (ABFMs) conform to the GBF definition and criteria of an OECM (and can therefore be considered contributions to GBF Target 3). The candidacy of ABFMs as OECMs present challenges around sites that host overfished stocks and/or industrial-scale fishing, sites that protect biodiversity features on the seabed but not in the water column and sites where the only sectoral use that is directly managed is fisheries.

In 2025, NEAFC was the first RFMO to report to the CBD OECMs in areas beyond national jurisdiction. This came after NEAFC parties agreed in 2023 to recognise its VME Closed Areas (VME-CAs) as OECMs and to inform the CBD of this decision.

In 2024, they also decided to take more time to consider some of its restricted bottom fishing areas (RBFAs) as candidate OECMs regarding their ability to achieve in situ biodiversity/ecosystem benefits as long as no bottom fishing activities occur. The parties also discussed MPA management at the Collective Arrangement, agreeing to consider how to practically collaborate on identifying new designations and more effectively managing existing designations (see below point 4.2.4. on "collaborative management plans").

Recommendations

4.2.1 The LDAC recommends that EC asks all NEAFC parties to continue contributing actively to the spatial protection of biodiversity in the Regulatory Area through MPA designation when they reveal being the right tool, MPA management, OECM designation and OECM recognition. All appropriate future site designations should be considered in line with guidance from the CBD and Member State competencies.

The BBNJ must collaborate with all relevant multilateral and sectoral bodies in delivering appropriate management to support the objectives of these sites to ensure that any new measure is coherent and complementary, rather than undermine the effectiveness of the existing international bodies and commitments.

4.2.2. The LDAC recommends that EC asks all NEAFC parties to maintain clear conformity with CBD Decision 14/8 in both how candidate OECMs are identified and evaluated and how the process of identification and evaluation is conducted (noting the CBD's own guidance that "It is important that other effective area-based conservation measures be documented in a transparent manner").

4.2.3. The LDAC notes that NAFO is the only other RFMO to consider benthic protection measures as OECMs and that they have only considered strictly closed areas (i.e. VME-CAs) as potential candidates and have not considered other benthic measures (i.e. RBFAs). The LDAC recalls that 97% of the NEAFC RA is currently closed or restricted to bottom fishing, reflecting the substantial contribution by the fishing sector to the spatial protection of benthic ecosystem. While this does not qualify these areas as OECMs, it demonstrates the extent of existing fisheries management measures and should be acknowledged in any discussion on area-based conservation in the RA. Considering the numerous and diverse fisheries management already in place, the LDAC urges the need to progress on OECM designation, not only considering strictly closed areas. When the management in an area is considered insufficient to get the OECM status, ICES should advise on what management measures could be effective to deliver in situ sustained biodiversity benefits in that area, in line with CBD decision 14/08. This is particularly important in areas already closed to bottom fisheries for this sector to not be the only pillar of ecosystem conservation.

Regarding the potential candidacy of RBFAs as OECMs, LDAC recommends that EU asks all NEAFC parties to carefully consider the outcomes of the ICES advice regarding the biodiversity benefits delivered by the RBFAs based on the polygons identified above 1,400 m isobar. The ICES advice shows that these 14 depth-delineated sub-sets of the RBFAs ("lilac polygons") have biodiversity benefits as articulated by the CBD guidance.

The advice also says that these benefits will exist "*so long as no bottom fishing activities occur. Any bottom fishing in the polygons may preclude them from satisfying sustained governance for long-term biodiversity benefits*". Considering this, while discussing the potential designation of these 14 RBFAs as OECMs, NEAFC parties should analyze if they answer NEAFC recommendation 19:2014 (amended by recommendation 10:2021) on VME detection process in order to also classify them as VME closed areas if it is the case. This would give these areas stricter protection from potential activities than RBFAs, in line with the requirements of CBD Decision 14/08.

4.2.4. Two key OSPAR MPAs – the Josephine Seamount MPA (designated in 2010) and the NACES MPA (designated in 2021) – are without any site-specific fisheries management measures. LDAC recommends that EU asks all NEAFC parties to commission ICES to explore the most appropriate measures to ensure the delivery of these sites' conservation objectives (as defined by OSPAR). The BBNJ Agreement requires collaboration between RFMOs, and Regional Seas Conventions (RSC) and these sites present a perfect opportunity to show global leadership under this Agreement.

At the May 2026 Collective Arrangement meeting, the notion of Collaborative Management Plans for existing ABNJ MPAs (including NACES) – and an increasing focus on effectiveness rather than just designation – received widespread support and is progressing through the presentation by the OSPAR Secretariat of a paper and a template for "Collaborative management plans" for its existing ABNJ MPAs. These papers were tabled for discussion at PECMAS-2 early October and the respective Secretariats decided to collaborate on the wording.

4.2.5. The LDAC supports the initiative of collaborative management plans for designated MPAs in ABNJ through case studies such as the NACES MPA. More clarity and a better understanding of the implications of MPA designation for fisheries bodies such as RFMOs is key in the context of the forthcoming entry into force of the BBNJ Treaty. The initiative of collaborative management plans under the Collective Arrangement could help explore more concretely how fisheries activities and biodiversity protection intersect in the context of new MPA designations. The LDAC therefore requests that the European Commission continue to support this approach, while ensuring full respect for the non-undermining principle.

4.3. Fisheries measures that can achieve CBD Global Biodiversity Framework (GBF) targets

Recommendations

4.3.1. Although the GBF was adopted as a package, the LDAC perceives that there is an overly heavy focus on target 3 which risks weakening the implementation of other relevant targets. The LDAC believes that other GBF targets, and in particular targets 5, 9 and 10, are also important as they bring new responsibilities for fisheries managers, allowing the sector to contribute to halting and reversing biodiversity loss.

4.3.2. Fisheries-specific guidance on these targets, and indicators to help gauge progress, are still in development, and urgently needed to help fisheries managers take the necessary steps to meet the targets. The LDAC is of the view that a concrete step for fisheries managers to progress on these targets is to evaluate progress towards existing commitments and available tools such as the existing body of knowledge on ecosystem-based fisheries management.

4.4. Deepsea mining in North Atlantic waters

Introductory remarks

As indicated in the latest joint LDAC-NWWAC-PELAC-SWWAC advice on this matter[2], the LDAC notes that the risks of deep sea mining for fisheries are alarming. Several studies have documented the significant negative impacts that DSM could have on marine ecosystems, including fisheries. Sediment plumes in different parts of the water column, noise pollution, and discharge from mining vessels could severely impact commercial species, in particular to highly migratory and widely distributed stocks such as tropical tuna, as noted in recent studies in the Pacific (van der Grient and Drazen, 2021; Amon et al., 2023). These activities pose a threat not only to the species directly affected but also to the broader food webs and ecosystem services on which sustainable fisheries depend (Drazen et al., 2021).

Recommendations

4.4.1. The LDAC urges the European Commission to stay firm in their position to DSM to avoid taking premature steps into deep-sea mining, the risks of irreversible harm to marine ecosystems and long-term disruptions to fisheries being too great.

[2] https://ldac.eu/images/EN_LDAC-NWWAC-PELAC-SWWAC_Advice_on_DSM_and_Fisheries_4Nov2024.pdf

4.4.2. The LDAC reiterates its calls for a moratorium on DSM until robust scientific evidence can demonstrate that it will not negatively impact marine ecosystems or jeopardise the livelihoods of those who depend on the sea, including fisheries. The precautionary principle must guide our decisions. By prioritising the reduction of mineral demand, the reuse of materials and the implementation of circular economy strategies, the EU should focus on enhancing competitiveness through truly sustainable and responsible practices.

5. Climate change considerations for decision making

Introductory remarks

NEAFC parties, based on a proposal from the United Kingdom (UK), adopted at the 2023 Annual Meeting a resolution that calls on parties to "*discuss how best integrate climate change science in the NEAFC decision-making processes as to better mitigate, prepare for and respond to climate change impacts including through adaptation measures that can ensure ecosystem resilience*".

The LDAC published in March 2026 an advice on climate change in non-EU waters and its repercussions for RFMOs. In relation to NEAFC, it states that "*climate-induced shifts in stock distribution are already having detrimental impacts on the established fishing rights and track records of EU fleets, particularly in areas managed by Regional Fisheries Management Organisations (RFMOs), such as NEAFC. Any reallocation of fishing opportunities resulting from climate-driven stock movements should be based on transparent and robust scientific evidence, taking into consideration environmental and social criteria, and conducted within multilaterally agreed frameworks. Additionally, allocation decisions should ensure predictability and stability for operators that fish sustainably, recognise long-standing responsible fishing activity and investment, account and minimise the risk of furthering geopolitical tensions between fishing nations and coastal states*". On the same advice, the LDAC underlines that climate change should not be used as a justification for unilateral reallocation/appropriation of quotas by non-EU countries or exclusion of EU fleets in coastal waters/EEZs of CPCs, putting as example the small pelagic stocks in NEAFC.

Recommendations

5.1. The LDAC calls the EC to ask all NEAFC parties to deepen existing coordination and undertake new initiatives that prepare for future climate conditions and their effects. These efforts should include the use of adaptive management tools, particularly long-term management strategies, which should be considered as "climate adaptation strategies" and incorporate them, where possible, into the fisheries they manage to better anticipate and inform decisions on the potential effects of future climate scenarios on target species. In this regard, the EU must consider broader implications for quota allocation while safeguarding EU historical fishing rights.

5.2. As a concrete step to progress on this topic, the LDAC recommends that the EC encourages all NEAFC Parties to examine the report produced by the FAO Deep-Sea Fisheries Project which reviews the incorporation of climate change into the work of NEAFC, and in particular discuss the implementation of the "roadmap for the inclusion of climate change impacts in the work of NEAFC to support the implementation of the Climate Change Resolution", which is included in this report.

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