

LDAC POSITION PAPER IN REPLY TO EU PUBLIC CONSULTATION ON CFP EVALUATION

SUMMARY REPORT ON WORK PROGRESS AND FUTURE ACTIONS

IN THE FIELDS OF THE EU EXTERNAL POLICY AND INTERNATIONAL DIMENSION OF THE CFP

Date of adoption: 13 May 2025

Rationale / Disclaimer:

- *This reply does not constitute a reply to the questionnaire launched by DG MARE.*
- *The present paper constitutes a summary report intended to reflect on the state of play of the LDAC work in relation to the topics of interest contained in the CFP Regulation (EU) No 1380/2013, namely part VI (arts 28-33) on "External Policy".*
- *The wording used below has been drawn from the LDAC annual work programme (AWP) for the period which goes from June 2025 to May 2026. The AWP has been agreed by the Executive Committee and submitted to the European Commission on 1st of April 2025.*
- *The list of links provided is a non-exhaustive compilation of advice compiled from previous years for information and cross-reference purposes to be considered by MARE team when looking at the contributions received to inform its report expected to be published in 2026.*
- *This contribution does not pre-empt from more detailed and specific recommendations and advice on the different elements of the External Dimension of the CFP that the LDAC will present from now until the end of 2025 that are under ongoing discussions.*

Introduction: what is the LDAC, mandate, composition and membership

The Long Distance Fleet Advisory Council (LDAC) is an EU fisheries stakeholder body co-funded by the European Commission and recognized by the CFP Regulation (EU) No 1380/2013 as a body pursuing an aim of general European interest. It was established in 2004 by virtue of the Council Decision (EC) No 585/2004 and became operational in May 2007.

The LDAC mission is to provide advice to the European Institutions (Commission, Council and Parliament) and EU Member States on matters related to non-EU waters, i.e. Fisheries Agreements with Third Countries, relations with Regional Fisheries Management Organizations (RFMOs) in which the EU is a contracting party, or with international organizations in whose waters the EC Fleet operates, as well as trade policy and international market for fish products.

The LDAC is currently made up of 54 member organisations from 11 EU coastal Member States. The membership is both from the fishing sector (60 per cent, including catching, processing and marketing sectors, and trade unions), and other groups of interest (40 per cent, including environmental NGOs, consumers and civil society).

The LDAC is fully committed to informing DG MARE of their views and recommendations regarding the ongoing evaluation of the CFP, particularly the following themes: 1. Managing fisheries measures for the conservation and sustainable exploitation of marine biological resources; 2. Governance regionalization and stakeholder involvement; 4. External Policy; and 6. Control and enforcement.

The focus of the LDAC's work is the EU external policy laid out in Part VI (articles 28-33) of the CFP Regulation (EU) 1380/2013. The LDAC is planning to adopt fully-fledged advice in the second half of 2025 with several recommendations on the external dimension of the CFP based on its work and the outcomes of a high-level workshop on this topic that will be held in Vigo on 13 and 14 May 2025.

Topics covered:

1. International Ocean Governance:

The LDAC will liaise with DG MARE to be informed periodically on the IOG process and the meetings calendar for 2025-2026. In particular, the LDAC is committed to being actively engaged in the implementation of the IOG agenda adopted in June 2022 and will participate in technical preparatory meetings with DG MARE in relation to the following topics:

- *UN Treaty on the conservation and sustainable use of marine biodiversity of areas beyond national jurisdiction (BBNJ).*

The LDAC will aim to provide a position paper outlining their views on the implementation of BBNJ with a particular focus on article 29 and the articulation between RFMOs and BBNJ requirements. The LDAC will also assist DG MARE and the EU to promote the ratification of signatories towards entry into force as soon as possible. It will also provide feedback to MARE on technical details on negotiations at UN COP level for the future setup and structure, and creation of a COP tasked with the implementation of the BBNJ Treaty adopted at the Resumed IGC held in New York on Feb-March 2023.

- *UN international meetings: 3rd UN Ocean Conference (Nice, June 2025) and UNFSA*

The LDAC aims to provide advice to MARE via email or through technical coordination meetings in advance of the UNOC3 to inform the shaping of the EC position ahead of these meetings. Moreover, 2025 will coincide with the 30th anniversary of the UNFSA; in that perspective, and to help prepare the EU position, the LDAC will aim to convey its specific views to MARE on the implementation of this agreement and the challenges ahead. Finally, as highlighted by the FAO Committee on Fisheries at its 36th session, there is a wish to revitalize the Compliance Agreement in the broader context of Flag State Performance. Here too, the LDAC will aim to inform the preparation of the EU position.

- *Implementation of UN 2030 Agenda and related UN Ocean Conference (SDGs)*

The LDAC has actively contributed to the three editions of the IOG fora, and the public consultation launched by DG MARE, culminating in the adoption on June 2022 of the European Commission and the EU's High Representative joint communication on IOG agenda as an integral part of the EU's implementation of the UN 2030 Agenda for SDG, SDG14 on Life Below Water. The LDAC will seek to provide elements for putting into action the recommendations made on the blue part of the European Green Deal, including the impact of climate change and reversing biodiversity loss. Looking at the four policy pillars articulated to integrate actions for a safe, secure, clean, healthy, and sustainably managed ocean, the LDAC will focus particularly on pillar 1. Strengthening the IOG framework and pillar 3. Ensuring security and safety at sea. Capacity allowing, and should that be relevant, the LDAC will look again at climate change.

2. Towards a Strategy for a new EU Fisheries External Action

The LDAC was recently informed of the launch of a Strategy for a new EU Fisheries External Action. This strategic approach goes beyond the External Dimension of the CFP and aims to combine a set of EU instruments and policies to strengthen the sustainability of EU external fisheries -environmental, economic, social- and promote enhanced global and regional governance and sustainable value chains.

The LDAC supports this approach and the development of a more effective and impactful EU ocean diplomacy. The LDAC will work on formulating recommendations to inform on how we consider this strategy would be better implemented in practice. In particular, the LDAC will use as guidance and partially/fully address the following questions shared by MARE B during the last LDAC Working Group 4 meeting held on 11 March 2025:

- How should RFMOs deal with the consequences of climate change?
- How could the EU help to support the implementation of the new BBNJ treaty?
- What can fisheries external action can made in terms of contribution to endangered species' protection?
- How to ensure that Europe retains its international leadership with its zero-tolerance approach to IUU fishing and promotes its updated fisheries control rules?
- How to foster labour standards in the EU external fleets as well as in non-EU fleets?
- How to build a more sustainable value chain through trade and marketing measures and sustainability of EU imports and exports of aquatic food?
- What could be tailor-made regional approaches? In that context, how do you ensure stability and predictability of access to neighbouring waters and what role could a new generation of Sustainable Fisheries Partnership Agreements play in addressing these challenges?
- How can the EU improve its ocean diplomacy?

In terms of timing, the LDAC will try to answer the call for evidence expected to be launched in the second half of 2025 and provide regular input and feedback to the targeted stakeholders' consultation processes to inform the forthcoming EC Communication which is planned to be adopted in 2026.

3. Level Playing Field (LPF) in the production, processing, and commercialisation of fishing products amongst EU and non-EU operators

This action is in line with the statement of Von der Leyen's mission letter to Commissioner Kadis on acting to "uphold a level playing field and protect the European fisheries chain from unfair global competition, notably on seafood products." In this respect, the LDAC developed, in 2021, a flagship advice with several recommendations identifying areas of uneven internal (intra EU between EU products) and external (between EU and imported products) dimensions in the field of fisheries with regards to different aspects related to fair competition, traceability of products and value chains, transparency of fishing activities and access to EU market. Related to this, the advice asserted that the credibility of the EU in promoting its interests and standards in the world goes hand-in-hand with its capacity to be irreproachable at home, and to abide by its commitment to policy coherence for development and rules-based global order.

The flagship advice can be found here: https://ldac.eu/images/EN_LDAC_Advice_LP_F_25May2021.pdf

Work on this subject will continue at a topic-based approach, building on the constituent elements indicated in the LDAC advice and in coordination with other interested Working Groups.

4. The role of Regional Fisheries Management Organizations (RFMOs) in the sustainable use of fishing and marine resources

One of the core building blocks of the work of the LDAC is the production of timely and strategic advice providing detailed input both on conservation and management measures for fish stocks that are the subject of the RFMOs and horizontal topics such as the fight against IUU fishing, monitoring, control and surveillance, fishing capacity, transshipments, Management Strategy Evaluations, scientific research, by-catch of non-commercial species and cetaceans, labour standards or climate change.

The LDAC has increased in recent years the number of RFMOs where it releases a fully-fledged written advice. In 2024-2025, the LDAC adopted written advice on NAFO and NEAFC for the North West and East Atlantic fisheries; ICCAT, IOTC and WCPFC for tuna and tuna-like species; participated in stakeholder preparatory meetings, exchanged views with MARE during Working Groups and attended most of them as members of the EU delegation. The LDAC has also attended and provided some kind of informal input at EC technical meetings on other RFMOs in the Pacific and Indian Ocean, i.e. IATTC, NPFC, SPRFMO.

The LDAC will continue in its financial year 2025-2026 to provide feedback on the above-mentioned RFMOs to the EC designated negotiation teams in due course in preparation of key annual meetings, and ideally before closing the EC negotiation mandate. The LDAC members also offer their availability and expertise to attend and give informal feedback prior to the intersessional panel meetings, special sessions and stakeholder workshops when possible and realistic.

5. Towards a new generation of Sustainable Fisheries Partnership Agreements (SFPAs) with Third Countries

The LDAC notes Commissioner Kadis' mandate to work to ensure stability and predictability of access to neighbouring waters, with the aim of ensuring fairness and a level playing field for EU operators. As part of this, work is required on a new generation of Sustainable Fisheries Partnership Agreements (SFPAs), ensuring they are in line with the EU's wider regional strategies and priorities, most notably for Africa and the Indo-Pacific. A coherent approach should also be promoted for sustainable fisheries in all multilateral fora and bilateral dialogues.

In terms of background, the LDAC has a longstanding track record of advice on SFPAs. In the last years, the LDAC participated both on the call for evidence for a roadmap and the EU public and targeted consultations launched by DG MARE to provide a critical overview of the constituent elements of SFPAs and formulate recommendations regarding both the process and content of this overall evaluation which ended up in the completion of an EC study on retrospective evaluation and analysis of SFPAs between the EU and third countries. The LDAC contribution can be found here:

<https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12728-Fisheries-evaluation-of-the-EU-s-sustainable-fisheries-partnership-agreements-SFPAs>

In terms of the way forward, the LDAC will continue its work in 2025 to produce an updated advice to MARE on the future new generation of EU SFPAs. The focus will be drawn on the themes and questions that have been suggested by MARE B3 unit at the LDAC Working Group 4 meeting held on 11 March 2024, namely:

Themes identified by MARE

1. Objectives of the SFPAs (resource conservation and sustainable exploitation of living marine resources in the coastal state; continuation of activity of EU fleets operating within the SFPAs and employments linked; support development of sustainable fisheries sector in partner countries)
2. Financial structure of SFPAs (Access contribution and Sectoral Support contribution)
3. Level playing field (transparency clause; IUU fishing in EEZ of partner countries; existence of dormant agreements and exclusivity clause).

Questions to address in a potential advice:

- a. Are SFPAs fit for purpose and the right tool for sustainable exploitation of fishing resources?
- b. Is there a need to address by EU fleets broader sustainability requirements by partner countries?
- c. What are the priority areas in terms of fishing grounds and species of commercial interest?
- d. Should more importance be given to areas with better performance in terms of quota utilisation?
- e. Should the EU focus its limited resources on tuna and tuna like species instead of pelagic ones?
- f. Finances: how to address public criticism about EU taxpayers' money paying SFPAs vs angle of WTO discussions? In view of limited resources, how are we going to approach financial issues of SFPAs? Can we imagine new avenues, contribution of vessel owners to increase?
- g. How to improve the LPF through the SFPAs?
- h. What to do with exclusivity clause and dormant agreements which might undermine LPF and be detrimental for EU fleets/fishing value chain.

6. Social Dimension of CFP - Labour and social aspects linked to import and trade related to fisheries

The LDAC will aim to provide a series of recommendations on the labour and social dimension of fisheries, through compliance of international regulations on maritime safety applicable to fishing activities, as well as respect and observance of social, labour, and human rights provisions for crews on board EU and non-EU fishing vessels and fish workers both in third countries and at RFMO level.

The LDAC will also closely monitor developments in respect of the EU Forced Labour Regulation and may provide a series of recommendations on aspects relevant to its mandate. The LDAC will continue liaising with the European Social Dialogue Committee (EUROPECHE and ETF) to keep informed on their work and projects and will monitor developments in the interagency FAO-IMO-ILO cooperation forum framework.

The LDAC will consider drafting in the second half of 2025 advice on the EU proposal on eradication of forced labour aimed at reforming/remedying the systemic problem linked to forced labour to produce fishing through a carding system or similar and stricter control standards of imports of fishing products entering the EU market. A proposal to start working on indicators for the implementation of the fisheries control regulation, forced labour regulation, and due diligence directive could be another area of potential advice.

The LDAC secretariat will follow the work of the STECF Expert Working Group on Social Data in EU Fisheries and share calls for registration on meetings and reports with its membership.

7. Implementation of the new Fisheries Control System and revised IUU Fishing Reg.

The LDAC is committed to continuing to participate in Inter-AC technical meetings with DG MARE to discuss implementation aspects of the new Fisheries Control System, particularly those provisions related to the EU external fleet. A recent example of this work is the letter submitted in April to MARE in relation to questions put forward at the first Inter-AC workshop held on 5 February:

https://ldac.eu/images/EN_LDAC_letter_on_Control_Reg_for_EU_external_fleet_10april2025.pdf

The LDAC is in dialogue with DG MARE on the implementation of the IUU Fishing Regulation to prevent the products of IUU fishing from entering the European market. The LDAC will provide feedback on the strengths and weaknesses they found in practice. The LDAC is keen on exploring the possibility of developing advice on individual countries subject to the scrutiny of the EU carding system, and on the electronic catch certification scheme. The LDAC is currently working with the LDAC to formulate recommendations to improve existing control of imports from non-EU Countries by EU Member States, in continuation of its advice from 2023:

https://ldac.eu/images/MAC_LDAC_Advice_-_IUU_Import_Controls_21.04.2023.pdf

The LDAC will continue monitoring the global expansion of China's distant water fleet and the implications of its activities for fisheries governance, in line with the advice issued with the MAC in 2022:

https://ldac.eu/images/LDAC-MAC_Joint_Advice_China_Distant_Water_Fleets_13Dic2022.pdf

8. Deep-sea mining in the “Area” (high seas)

The LDAC will follow the ongoing negotiations at the International Seabed Authority (ISA) on a Draft Regulation for Exploitation aimed for the completion of the Mining Code currently. The LDAC has coordinated a Joint LDAC-PELAC-NWWAC-SWWAC advice on deep-sea mining and its potential impacts on fisheries adopted in November 2024, where it highlights the risks and reiterates its request for a precautionary pause and a prohibition on exploitation until further scientific knowledge and evidence are provided. The advice can be read here: [https://ldac.eu/images/EN_LDAC-NWWAC-PELAC-SWWAC Advice on DSM and Fisheries 4Nov2024.pdf](https://ldac.eu/images/EN_LDAC-NWWAC-PELAC-SWWAC_Advice_on_DSM_and_Fisheries_4Nov2024.pdf)

Further discussions will be held with the DG MARE unit in charge of this file to align timelines and be prepared to inform the EU position if required. This work will be done on the basis that, in accordance with the UNCLOS, the Area and its resources are the common heritage of (hu)mankind; and that the development of an ISA Mining Code must be in line with UNCLOS obligation to ensure effective protection for the marine environment from harmful effects which may arise from activities in the Area (Article 145) and other international standards and commitments on the protection of marine environment, the Precautionary Principle and implementation of an ecosystem approach in relation to regulation of deep-sea mining.

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