KI' Itrport 1111 111aior tle\clc~l~ments of rele\.ancr 1111 sustait~;~l)lc fisheries since 21108 (.\/631200X, ".Srr~i(~i~~rrhl~~ fi~lr~'ril~.s. irr~~lrrdi~~p tl~ro~rzlr ~IIL~ IY9.i ~4prc~l~111r11i fi)r ihc /~rrplr~r~~r~rr~rrrir,r, of

known not to be overfished. This is to a large extent due to determined action with regard to the setting of levels for Total Allowable Catches over recent years at MSY levels. However, the percentage of overfished stocks is still too high and the EU will continue its efforts to phase out overfishing within European waters.

However in European waters 65% of the stocks are not fully assessed and only 22% of stocks under TACs known not to be overfished. Furthermore, the tendency over the past years has been that a decreasing proportion of stocks (from 47% in 2003 to 35% in 2012) can be classified according to safe biological limits.

In the Atlantic, North Sea and Baltic Sea, the number of stocks for which advice could be provided with respect to MSY rose from 34 in 2005 to 39 in 2010 and was 38 in 2012. There has been a slight declining trend in the proportion of stocks where a quantified analysis and forecast is available. The proportion of stocks where no scientific advice is available rose from 45% in 2003 to 52% in 2006 and then fell again to 36% for 2012.

But the EU is not only striving for sustainability within EU waters. As a global fisheries player and important market for fish and fish products, EU external action is guided by the principles and standards for fisheries management applicable to EU waters under the Common Fisheries Policy. This has been confirmed and strengthened recently in the Commission Communication on the external dimension of the CFP~ issued as part of the CFP reform proposal. The orientations proposed by the Commission for the external dimension of the CFP are strongly supported by EU Member States in their Conclusions on the Commission's ~ommunication~.

In this vein, the EU plays an active role in six tuna Regional Fisheries Management Organisations (RFMOs) (including the Agreement on the International Dolphin Conservation Programme - ALDCP) and 9 non-tuna RFMOs. The EU is also member of two advisory Regional Fisheries 0rganisations6. Over the last years, the EU's involven~ent in these RFMOs has been key for increasing the efficiency of RFMOs with regard to sustainable fisheries management. At the same time the EU has been adamant to make sure that vessels flying the flags of its Meinber States comply with management and conservation rules of RFMOs. Assuming that RFMOs will report themselves on their achievements this report does not address sustainable fisheries management under the purview of RFMOs.

Finally, to make sure that conservation measures are actually enforced and their objectives achieved through appropriate implementation by its Member States the EU has reformed fundamentally its fisheries control system in 2009. It also has established a European Fisheries Control Agency. In addition, to stop illegal, unregulated and unreported (IUU) fishing activities that jeopardise sustainable fisheries management this system is co~nplemented by rules adopted in 2010 that prevent the marketing of IUU products in the EU.

' COM(2011) 424, Communication from the Commission to the European Parliament, the Council, the
European Economic and Social Committee and the Colnmiiiee of ihe Regions on External Dimension of the Common Fisheries Policy.
Council Conclusions of 19 March 2012.
Westcm Central Atlantic Fisheries Commission (WCAF) and Fisheries Commission for the Eastern Central Atlantic (CECAF).
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11. Implementation of international instruments for the long-term conservation, management and sustainable use of fishery resources

A. lmplementation of the United Nations Fish Stocks Agreement

Latvia, Lithuania, Czech Republic, Romania, Hungary and Slovakia have ratified, in recent years, the 1995 United Nations Fish Stocks Agreement, although some of those States' fishing vessels are not directly involved in the fishing for stocks concerned. Consequently, by 2008 the EU and all its Member States have completed the ratification process and are contracting parties of this Agreemeilt. A harmonization of national legislations wit11 the Agreement and its obligations has been reached through unpleinentation of respective EU law.

Soine elements of the Agreement (e.g. rules for inspection, boarding on the vessel) have also been implemented through decisions taken by Regional Fisheries Management Organisation to which the EU is a Contsacting party7 and which are binding upon EU Member States according to Article 216(2) of the Treaty on the Functioning of the EU.

B. Implementation of fishery instruments of the Food and Agriculture Organization of the United Nations

The Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing was approved by the FA0 Conference at its Thirty-sixth Session on 22 November 2009, through Resolution No 1212009, under Article XIV, paragraph 1 of the FA0 Constitution. Under Article 25, the Agreement was open for signature at FA0 from 22 November 2009 until 21 November 2010, by all States and regional economic integration organizations. It should be noted that, as all the matters of this Agreement fall within the exclusive competence of the EU, only the EU was the

integrated, ecosystein-based ocean and coastal management, reducing the loss of marine biodiversity, establishing networks of marine protected areas, and restoring world fish stocks to good biological condition) the EU and its Member States are fully committed to integrate

The present long-term managen~ent plans for North Sea sole and plaice11 and for cod in the North Sea, Skagerrak, Kattegat and other areas,", include provisions to restrict fishing effort in line with fishing mortality targets. The multi-annual plan for cod also provides incentive rules for Member States to implement cod avoidance and discards reductions measures. In line with this, several Member States have implemented voluntary real time closures and permanent closures to reduce cod fishing mortality. In the North Sea and Skagerrak there are also obligatory real time closures to protect juveniles of cod, haddock, whiting and saithe. A number of inulti-annuals plans are jointly prepared and implemented between the European Union and Norway in the North Sea, including cod, haddock, whiting, saithe, herring and plaice.

Since 2000, a number of technical measures have been adopted to ensure the greater responsiveness of North Sea fisheries to on-going developinents in the knowledge and status of fish stocks and of their broader ecosystems. These include the use of real time closures and the banning of high-grading, as well as other more targeted measures. Since 2000, in accordance with Council Regulation (EC) No 431200913 Annex TI1 point 4, commercial fishing for sandeel has been prohibited in the Firth of Forth (North Sea, Scotland) given studies demonstrating the link between low sandeel availability and the poor breeding success of the black-legged kittiwake (Rissa tridactyla).

Baltic Sea

A multi-annual plan for the two cod stocks in the Baltic Sea has been in force since 2007 (Council Regulation (EC) No 109812007~~). Aswell as setting the appropriate levels of TAC, the plan also restricts fishing effort in terms of numbers of days of

There has been a noticeable improvement in the control of Baltic Sea cod fisheries. During 2000 to 2007 industry and enforcement sources indicated that catches were around 32 - 45% higher than the reported figures. Since 2008 unreported landings have been reduced to less than 7% of reported landings1'. The use of Joint Deployment Progriunines of inspectors from across the Baltic Meinber States is considered to have contributed to this.

In line with the generalised approach to long-term management plans a f~st proposal for a multi-species approach is currently under preparation for the long-tenn management of Baltic cod, herring and sprat.

Various technical measures have been adopted to ensure the greater responsiveness of Baltic Sea fisheries to on-going develop~nents in the knowledge and status of fish stocks and of their broader ecosystems. These include the prohibition of high-grading, the establishment of minimum landing sizes as well as restrictions on the fishing for certain species whether temporal (e.g. flounder and turbot) or linked to specific gears (e.g. eels, electro fishing, with explosives andlor chemicals), as well as other more targeted measures. These measures are included in Council Regulation (EC) No 218712005'~.

Significant work has been undertaken over the past decade to pursue increased selectivity in Baltic cod fisheries. The latest modifications to the gears allowed were adopted in 2010 (Commission Regulation (EU) No 68612010'~). A further shldy is underway on collaboration between the scientific community and the fishing sector on how to further minimize discards in Baltic cod fisheries. It will be finalised in 2013.

European Western Waters

Multi-annual management is also well established for the stocks exploited in the European western waters. West of Scotland and Lrish Sea cod are regulated together with the North Sea, Skagerrak and Kattegat stocks under Regulation (EC) No 134212008 (see above). In addition, key stocks such as those of hake (northzo and southz1), sole (Bay of isc cay'^ and the western channelz3) and herring (West of cotl land^^, Celtic seaz5) are managed in accordance with

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18 Council Regulation (EC) No 218712005 of 21 December 2005 for the conservation of fishery resources through technical measures in the Baltic Sea, the Belts and the Sound, anlending Regulation (EC) No 1434198 and repealing Regulation (EC) No 88198; OIL 349; 31.12.2005, p. 1.
l9 Commission Regulation (EU) No68612010 of 28July 2010 amending Council Regulation (KC) No 218712005 as regards specifications of Uaconia window and T90 trawl in fisheries cmicd out in the Baltic

Sea, the Belts and the Sound; OIL 199; 31.7.2010, p. 4. 2" Council Regulation (EC) No 81112004 of 21.4.2004 establishing measures for the recovery of the

Northern hake stock.
21 Council Regulation

long-term harvesting rules. The Commissio~~ has made further proposals to regulate two other stocks of high economic importance, namely the western stock of horse mackerelz6 and the stock of anchovy in the Bay of isc cay^'. These proposals are still under discussion between the European parlianlent and the Council of Ministers. The annual fishing opportunities decisions taken since their tabliug have followed the harvesting rules as proposed.

Mediterranean Sea

In the Mediterranean Sea the EU is bound to apply the decisions adopted by ICCAT and GFCM. This concerns in particular the bluefin tuua recovery plan adopted in 2006 and amended and reinforced since then. The plan was established to address the significant over capacity of fleets fishing bluefm tuna as well as the high level of non-compliance with ICCAT conservation and ~nanagement measures. The plan has, and continues to be transposed into EU legi~lation~~ and has been complemented by a control and inspection programme which defines objectives and priorities and benchmarks. The multi-annual recovery plan which continues to be reinforced provides a system of TACs and a suite of monitoring and coutrol measures which are binding for contracting parties. These provisions are contributing to enhanced levels of catch monitoring, allowing the Commission and/or Member States to close fisheries where the risk of overfishing is detected. The plan has contributed to progressively reduce overcapacity of fishing fleets notably purse-seiners and a significantly reduce non-compliance with ICCAT provisions. Specific conservation measures have also been reinforced for the Mediterranean swordfish, in particular by extending a seasonal fishing ban and ring-fencing the pelagic long-line fisheries.

Purely at EU level, the Mediterranean ~egulation" is the first example of EU legislation regarding fishery matters, where environmental concerns have been substantially integrated. Moreover, with a view to elicit bottom-up approaches and greater participation of stakeholders, a more decentralized decision-making approach, through the development of national multiannual management plans has been implemented. Mapping and monitoring of sensitive habitats (maerl, corulligenous and seayass beds) to be protected ftom certain fishing activities is a specific requirement.

C. Measures in force in order to guarantee the long-term sustainability of certain deep sea fish stocks

Since 2002 the Union has in place a specific access regime (Co~ulcil Regulation (EC) No

" Apcd harvesting rulcs

234712002~') for fishing vessels engaged in deep-sea fisheries of the North-East Atlantic, made of fow components: capacity restriction, data collection, effort monitoring and control. hl parallel, fishing opportunities (TACs) for EU vessels to fish certain deep-sea species are fixed on a biannual basis based on the latest scientific advice from ICES (Regulation (EC) No 122512010~').

There are several technical measures spread over different EU legislative acts affecting the

concerned EU operators involved in deep sea fishing activities, most of them having entered 12rtain

into force before 2008. EU fishing vessels activity is also

In line with this, by Commissio~i Decision 2008/914/EC measures proposed by the Netherlands for the conservatioil of marine ecosystems UI the Voordelta area were confirmed in 2008. The measures concern the restriction of trawling and the use of gillilets aud trammel nets for the protection of seabirds (Eider duck (Somaleria mollissirna), Sandwich (Sterna sandvicensis) and common tenn (Sterna hirundo), Common scoter (Melanitta nigra)), the Common seal (Phoca vitulina) and the shallow sandbank habitats.

Fisheries mauagement measures for a host of marine Natura 2000 sites by the Netherlands, the United Kingdom, Belgium, Germany and Denmark are being developed since 2011. Relevant Member States cooperate also for the development of proposed fisheries managelllent measures for the sandbank habitat of the Dogger

The Baltic Sea was the first marine region in the world to achieve the target set by the CBD WSSD and CBD decision (VIII30) calling for the effective conservation of at least 10% of each of the world's marine ecological regions by 2012. By February 2010, 159 protected areas (or 10.3% or 42.823 km2) of the Baltic marine area had been officially designated under the Helsinki Convention (HELCOM) Baltic Action ~lau~~. Combined with the sites designated part of the EU's NATURA 2000 network (see above), this amounted to 12% of the Baltic Sea.

Moreover, the Mediterranean ~egulation~' sets a procedure calling to create protected areas for fisheries purposes in addition to what was already implemented before 2007 (namely "fishing protected areas-FPAs"). Since protection of the marine ecosystems may be one out of other objectives of these protected areas, the establishment

The proposal for the refonn of the CFP takes this analysis a step further and intends to
promote a collaborative approach among Member States to remove unnecessary
administrative burdens, address difficulties to access space, and introduce measures to
improve the competitiveness of sustainable EU aquaculture and promote on the market its
high value production. On the basis of this process the Commission will issue, in 2013,
strategic guidelines for a sustainable aquaculture.

IV. Measures to address in global [(va62fisheriff08(sp17. 0 Tdessarsis1 Tf 0.0233Tc 10.653 0 Td (EU)Tj 0 Tc further

Level - the role of the EU", supporting, amongst others, the full impleinentation of the EU IUU Regulation.

b. Actions - before and after the entry into force of the IUU Regulation

In the preparatory phase, the Commission informed all third countries which resulted in notifications from 90 flag States. 15 additional countries infonned that they would not notify due to no h.ade with the EU or no seagoing vessels. Another 10 flag States submitted notifications which are still not complete (May 201 2).

EU Member States have also been required to notify their competent authorities for the purpose of validation of catch certificates and verification on incoming consigmnents with catch certificates as well as for exports of EU catches or re-exports of previously imported catches.

Since 2010, the cooperation with flag States , coastal States, processing States and market States and civil society has increased considerably, making it more difficult for illegal operators to sell their products in the EU. The Co~nmission is currerxtly conducting an extensive investigative work with flag States and coastal States of both third country and EU vessels. This has in some cases contributed to coastal and flag States taking action against vessels fishing in its waters, such as removal of licenses or heavy fines.

The Commission and Member States have increased the use of tools foreseen in the EU IUU Regulation (e.g. mutual assistance system, exchange of inforruation, risk management and cooperation between Member States, verification of catch certificates issued by third countries etc.).

On the international level the increased political focus is reflected by the signing of a Joint Statement in September 201 1 between the United States of America and the European Union on increased cooperation in the fight against IUU fishing. Also at the international level the EU is promoting the adoption of TUU measures in RFMO's, including global catch documentation schemes. The Co~nmission cooperates administratively with third cour~tries on the implementation of the IUU Regulation and fisheries governance. 111 addition, the Commission has since 2010 a prognunine of technical assistance of developing countries where external consultants help couiltries understand the principles of the EU IUU Regulation and assist countries in assessing their systems.

B. EU fisheries control system

The EU reformed fundamentally its fisheries control system by adopting Council Regulation (EC) No 122412009 establishing a new all-encompassing European Union control system for ensuring co~npliance with the rules of the Common Fisheries Policy in October 2009 and its Implementing Regulation (EU) No 4041201 1 in April 201 1 to remedy any deficiencies of the previous control system and ensure the full implementation of Common Fisheries Policy's rules. The system is designed to foster compliance with the rules of the Common Fisheries Policy and ensure a level playing field for fishermen and other operators and to ensure the same control standards by authorities. For this purpose the new control system is making a wide use of modem technologies and is generally based on a risk based approach allowing

targeting irregularities in a more resource efficient manner.

. The new control system ensures a better mon~toring of the fleet through the use of new technologies. All vessels above 10 n~ must keep a logbook; all vessels above 12 m must keep it and report it in electronic form. Tt also subjects all vessels above 12 m to a satellite-based Vessel Monitoring System.
The EU control system has intioduced a traceability system for the whole market chain from 'net to plate', covering every stage where the fish is caught, landed, brought lo market and sold. Part of this system is the systematic transmission of sales notes electronically for buyers with a yearly turnover in first sales of fisheries products of 200,000 EUR and the possibility to identify the origin of the fisheries products at any stage of the production down to the final consumer.
. In order to improve the management of both the overall fleet capacity and effort regimes that apply in certain fisheries the Control Regulation foresees the systematic certification of new, replaced and technically modified engines whose propulsion engine power exceeds 120 kW. The whole fleet is subject to the verification of engine power, including physical checks.
. The new Control Regulation also lays down common principles for the establishment of sanctions for infringements of Common Fisheries Policy rules. The overall level of sanctions is to be calculated in such a way as to make sure that they effectively deprive the offenders of the economic benefit derived from their infringeme~lts. They must of a nature as to discourage further offences of the same kind. To facilitate the planning of control activities Member States have to set up a national register for inspection and surveillance reports and for infringements.
. The Regulation lays down a point system for serious infringements both for fishing
licences and masters.

. The Regnlation also includes a number of measures to ensure that Member States
enforce the rules of the CFP, and to protect stocks from overfishing. For instance,
quotas are reduced in case of overntilization in a previous year of fishing opportunities..
Financial assistance might rj 0.0455 Tc 2.193 0 Tdd492ight (a)Tcnupd 06f(the)non-compli BT /o[(fishing)5

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Furthennore, EFCA provides training for Member States authorities on the application of EU fisheries legislations.

C. Trade and sustainable development

With regard to sustainable fisheries, trade negotiations can make an important contribu~tion. This is why the EU, in the framework of preferential trade agreements, negotiates provisions aimed at improving envivorrmental behaviour in the "Trade and Sustainable Development" chapters. In that framework the EU insists that trade partners adhere to the relevant international conventions and agreements in the area of maritime governance (UN Convention on the Law of the Sea, UN Fish Stocks Agreement, FA0 Code of Conduct on Responsible Fisheries, FA0 Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, participation in and/or cooperation with relevant Regional Fisheries Management Organisations). Since 2008 specific provisions have been negotiated with Eastern African ACP countries in the franiework of Economic Partnership Agreements, with Peru and Colombia, Central America and Ukraine. In all ongoing free trade negotiations the EU pursues the conclusion of a Trade and Sustainable development chapter which would include good governance principles in the fisheries area.

The EU is at preselrt close to the adoption of a regulation setting up a decisional framework for the adoption of measures, including trade restrictions and restrictions in the provision of seivices, targeting countries that allow non-sustainable fishing on stocks whose management responsibility is shared between those countries and the EU. This regulation will aim at keeping fish stoclcs in good consei-vation shape and will coinple~nenthe measures adopted to combat KJU fishing.

V. International cooperation to promote sustainable fisheries

In view of its role as an important global player in fisheries and as inarltet "state", the EU is fully co~nmiited to promote conservation a~id sustainable management of international fish stoclcs through strengthened global fisheries goveinance and intensified dialogue with neighbours aid key partners.

As demonstrated by this report, The EU is working hard to live up to international commitments, including those arising from Johannesburg, etc. In the same vein, on the third UN Conference on Sustainable Development that will take place in Rio de Janeiro from 20 to 22 June, the EU is fully committed to play a key role for securing renewed political coininit~nent for sustainable development and to set an ambitious green economy roadmap for specific goals, targets and actions at international, regional and national level.