



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES

The Director-General

Brussels,

Dear Mr Rodriguez,

I would like to thank you for the recommendations of the Long Distance Advisory Council (LDAC) and of the Market Advisory Council (MAC) on, “Addressing China's global distant water fleet activities implications for fisheries governance”.

The European Union and China hold major responsibilities as coastal, flag, port and market States to manage fisheries sustainably. China’s distant water fleet is the largest and most productive fleet in the world. As such, improving cooperation and overcoming challenges with China on international ocean governance, including fisheries, is a high priority for the European Union.

We appreciate the high quality of your recommendations and your comprehensive approach towards preparing them. They have been very useful and we have taken them into account in the design of our policies towards China, and also in our reflection regarding the future of these policies. Based on your valuable input, we have prepared the attached document, which contains detailed answers to your recommendations on the impacts of China’s global distant water fleet activities on fisheries governance. I do hope that this document will also be useful for your reflection on this topic.

I am looking forward to continuing the discussions on this subject, including in the upcoming meetings of the LDAC and MAC.

Yours faithfully,

Charlina VITCHEVA

Enclosure: European Commission response to the LDAC/MAC recommendations on addressing China's global distant water fleet activities implications for fisheries governance

c.c.: SDAUSKAS Kestutis, AL KHUDHAIRY Delilah, IDIL Celine, MITOLIDIS Stelios, GARZON Isabelle, GOULET Raphael, BILLIET Stijn, CESARI Roberto, ARENA Francesca, MATHISON Andrew, ZITO Anna

Alexandre Rodriguez  
Executive Secretary  
EU Long Distance Advisory Council  
C/ Doctor Fleming 7, 2 Dcha  
28036 Spain

## ANNEX

### **European Commission's response to the LDAC/MAC recommendations on addressing China's global distant water fleet activities implications for fisheries governance**

As a general point, we would like to recall that in a context where global fisheries are severely threatened by overfishing, illegal activities and environmental damage, and where sustainability is directly linked in some regions to food security, the Commission is committed to promote good governance of international fisheries. We do this by using all possible channels within the context of the CFP and by maintaining rich and diversified dialogues with coastal states to strengthen the requirements on sustainability and transparency of fisheries governance.

The LDAC and MAC recommendations highlight avenues for strengthening actions at multilateral, regional and bilateral levels to address the challenges posed by China's global distant water fleet activities and their implications for fisheries governance. We concur with the idea that multi-level action is essential, and we recall that the EU is an active member of several international organisations and agreements dealing with fisheries.

Moreover, as a global fisheries actor, the EU plays an active role in 18 regional fisheries management organisations (RFMOs) and one Agreement (CAOFA). To develop and implement measures for sustainable fisheries management and control worldwide, we are actively engaged in all aspects of the works of RFMOs including science, compliance and sustainable management measures. Our mandate under the CFP is to reinforce the work of those organisations and to promote the achievement of their objectives, and strive to build a level playing field.

At bilateral level, the European Union engages with partner countries through Sustainable Fisheries Partnership Agreements (SFPAs). These promote sustainable fisheries management, providing a legal, environmental, economic and social governance framework for fishing activities. In addition, our zero tolerance policy towards illegal, unregulated and unreported (IUU) fishing has led us to engage in dialogues with about 90 countries. In the following pages, we address in detail the recommendations made by the LDAC and MAC, following as much as possible their order.

## 1. TRANSPARENCY

### Recommendations:

- Use the position of the EU in relevant international fora to clarify the actual size of China's DWF fleet (in number and capacity) and the scale of its operations (total catches in international waters and EEZ of third country's waters), particularly through the promotion of the FAO Global Record of Fishing Vessels, Refrigerated Transport Vessels and Supply Vessels ('FAO Global Record') and the IMO number.
- Use the position of the EU with some of its partners (e.g. ACP countries) in relevant international fora to clarify where Chinese nationals have registered the vessels they own and/or operate under third country's flags and to push for open national registers providing public access to beneficial ownership information, but also through strengthen conservation and management measures on the recording of ownership information in RFMOs.
- Gather data and provide statistics on fish caught by Chinese flagged vessels, particularly those from its distant-water fleet, entering the EU market.

### *(Information regarding the Chinese fleet and catches)*

Information on the Chinese fleet is publicly available on the China's Fisheries Statistics publication, including the figures on its fleet for 2021 and 2022. China has submitted to the FAO Global Record information about Chinese-flagged vessels operating solely in the high seas (1529).

The Commission also received information from China: its distant water fleet – overall – is 2 559 vessels and is capped at 3 000 vessels according to the 14th Year Plan. China stressed that the figures on its fleet for 2021 and 2022 are publicly available on the China's Fisheries Statistics publication. Although some information is available, there is insufficient reliability and consistency of the information chain on fleet, catches, subsidies, business structures, fisheries agreements and fish and seafood products sold on the Chinese and international markets.

### *(Encouraging transparency at multilateral and bilateral level)*

The European Union is an active advocate of transparency in fisheries. In recent years, we have worked to develop an integrated approach to enhance transparency in fisheries worldwide, with the objective to seek reliable, comprehensive and easily accessible public records on fisheries management. For example, these can include lists of registered and authorised fishing vessels, catches, business ownership and subsidies, sanctions imposed, fisheries management measures, among others. We are committed to continue these efforts in the coming years.

We promote transparency through all available international channels, such as the FAO Global Record of Fishing Vessels, Refrigerated Transport Vessels and Supply Vessels ('FAO Global Record'), the unique IMO vessel identifier, RFMOs, the Food and Agricultural Organisation (FAO), IUU fishing dialogues, SFPAs and bilateral dialogues with key players.

China is among our counterparts, but so are also coastal States where Chinese vessels also operate. For instance, cooperation in the context of the IUU Regulation to strengthen our partners' fisheries governance includes their monitoring, control and surveillance (MCS) capabilities as well as exchanges on vessels registered under their flag. A challenge is that in a number of countries, vessels are mainly beneficially owned by Chinese operators.

In addition, we actively promote measures in RFMOs to ensure, amongst others, the compulsory registration of the International Maritime Organisation (IMO) number for eligible vessels and the provision of information regarding the beneficial owners of vessels registered in the vessel registries of those organisations.

*(Beneficial ownership)*

The European Union promotes the “genuine link” between the flag, the vessel and its operator in accordance with Article 91 of the UNCLOS. This is a major aspect to ensure flag State's responsibility in terms of fisheries control. We work with several flag States across the world to ensure that all flag States actually control all their vessels and prevent and deter IUU fishing.

Within RFMOs, our policy is to promote as much transparency as possible regarding the beneficial ownership of vessels registered in those organisations for any fleet. Where potential loopholes are detected, we actively explore ways to address them. In a bilateral context, the SFPFA framework promotes good governance and transparency as well (see point 4 below).

The issue of beneficial ownership, however, goes well beyond fisheries. It stems from, and concerns above all, maritime transport, while European Union operators also register their vessels in third countries. This is therefore also an issue of international ocean governance. The Joint Communication on International Ocean Governance of June 2022 announced that the Commission would carry out a dedicated study on the issue of flags of convenience and how they impact on flag State's responsibilities. This work is being launched.

## **2. FIGHT AGAINST ILLEGAL, UNREPORTED AND UNREGULATED (IUU) FISHING**

- *In cooperation with EU Member States, significantly strengthen import controls over consignments of fisheries products stemming from the Chinese fleet and fleets owned by Chinese capital, particularly those from its distant-water fleet, through checks, verifications and inspection, and reject consignments where there is evidence that suggests non-compliance.*
- *Monitor that the scope and quality of checks applied by Member States are sufficient to address the risks and take necessary action to remedy any shortcomings.*
- *In light of the well-founded doubts of non-compliance, assess the possibility to publish an alert notice to warn operators and to ensure that Member States take appropriate measures in respect of the products stemming Chinese fleets and fleets owned by Chinese capital.*
- *In the context of the Commission's zero tolerance approach towards IUU fishing, make full use of all instruments under the EU IUU Regulation, including evaluation missions and carding decisions. In light of the strong evidence of IUU operations by vessels of Chinese origin all over the world, the LDAC and the MAC question the reasons why China has not been pre-identified (“yellow carded”) yet. In this context, the LDAC and the MAC demand public disclosure of how China's performance has been evaluated (e.g., questionnaire(s), evaluation mission(s), etc.) and how this country operationally performs against the criteria set in Article 31 of the EU IUU Regulation. The LDAC and the MAC attach importance to a consistent and coherent implementation of the policy where no double-standards are applied to different countries.*

*(Cooperation with Member States to fight IUU fishing)*

The Commission is committed to strengthen the EU's capacity to carry out effective import controls of fisheries products. In order to properly implement our zero tolerance policy against IUU fishing, the required EU catch certificate, to allow imports into the European market, is an essential tool.

We are working in close cooperation with Member States to strengthen the implementation of the EU catch certification scheme. If consignments of Chinese origin are refused on solid grounds, China will be encouraged to take effective action against operators who engage in IUU fishing activities. We are further supporting the effective implementation of the catch certification scheme by the Member States through the development of IT CATCH, an IT system aiming at digitalising catch certification data and the related submission procedures. The legal provisions for the compulsory use of this IT system by stakeholders is part of the revised IUU regulation. The compulsory use of IT CATCH will be effective in 2 years.

In this context, the Commission is actively working toward the smooth and timely introduction of the compulsory application of IT CATCH. Over the last year, we have undertaken several initiatives in cooperation with Member States to pave the way for, among others, the future compulsory use of CATCH. We will intensify our efforts in the coming months. All these efforts aim at creating a level playing field and making controls of catch certificates by the authorities of the Member States more consistent across the whole EU.

*(EU-China cooperation in the fight against IUU fishing)*

The Commission considers that working with China on IUU fishing issues is an important part of the European Union's anti-IUU fishing policy and international ocean governance agenda. Cooperation with China has been ongoing since 2011, and in 2015, the European Union and China established a joint IUU Working Group (WG).

In 2018, the EU and China signed an Ocean Partnership built on three pillars in line with the EU's International Ocean Governance Agenda: improving the ocean governance framework, including sustainable fisheries and the fight against illegal, unreported and unregulated fishing; developing the conditions for a sustainable blue economy; and promoting cooperation on marine science, research and data.

Since then, cooperation takes place on a regular basis through three High-Level Dialogues (Ocean Affairs, Fisheries and Law of the Sea and Polar Affairs), the IUU Working Group and the Partnership Forum, which gathers stakeholders from both sides. The last edition of these events took place in September 2023 in China.

Over the last ten years, these regular and extensive relations on ocean affairs have benefitted the work on IUU fishing where cooperation has much evolved. Today, the European Union is able to voice concerns and call on China to take strong actions in the fight against IUU fishing. China has made progress, including by the review of their Distant Water Fleet Regulations and the adoption of rules on transshipments in the high seas. China has increased transparency by providing information on its long-distance fleet operating in the high seas to the FAO Global Record of Fishing vessels.

Regarding possible pre-identification of China, as with any other country, we privilege dialogue and cooperation. And we consider that our cooperation with China is currently

advancing in the right direction. Concerning the criteria set in Article 31 of the EU IUU Regulation, it is important to underline that China has taken enforcement measures in relation to confirmed IUU vessels. Furthermore, China has shown willingness to cooperate, for example by providing responses to our requests to investigate, or feedback and follow-up on alleged IUU fishing activities.

Nevertheless, the Commission still expects more proactive approach and transparency on the side of China to effectively prevent and sanction IUU fishing. A major component is the ratification by China of the FAO Port State Measures Agreement (PSMA). This is raised in all bilateral and multilateral meetings with Chinese interlocutors.

### 3. SUSTAINABLE FISHERIES PARTNERSHIP AGREEMENTS (SFPAS)

- *Encourage and accompany, using all possible channels within the context of the CFP, coastal states with which the EU maintain a dialogue in strengthening the requirements on sustainability and transparency in access conditions to their EEZ, and in making public and keeping up to date details of access agreements and lists of vessels licensed to fish within their waters.*
- *Link these efforts with other EU policies such as development cooperation, trade or social policies (e.g., TAIEX or “ship to shore” which is a Southeast Asia project).*
- *Identify opaque operations and cases of discriminatory treatment by and in SFPA partner countries (as for instance those described in the subchapter on reflagging operations), and tackle those through dialogue with third country partners and in consultation with the LDAC and the MAC to guarantee transparency and a level playing field. Nevertheless, since many DWF Chinese vessels are reflagged or chartered and considered as part of the national third country fleet, coastal states normally apply discriminatory treatment in favour of the national fleet (e.g., taxes, access to port infrastructures, etc.). In these cases, where there is an actual competition with the EU distant-water fishing fleet, the EU should rethink its strategy and seek equal treatment and a level playing field.*
- *Provide increased support to coastal and port States, particularly those with a high presence of Chinese DWF vessels to increase their capacity to fight IUU fishing and bring about fundamental reforms of their fisheries policies. The LDAC and the MAC also recommend providing targeted technical assistance and capacity building assistance to developing country Members, for the purpose of implementation of the disciplines under the WTO agreement on fish subsidies (in line with Art. 7 WTO) and the global ratification and effective implementation of the FAO Port State Measures Agreement<sup>5</sup>.*
- *Increase coordination of multilateral and bilateral cooperation mechanisms, trade-based measures and on global fisheries transparency policies, including in RFMOs and with other key ocean players such as Japan and the United States of America<sup>6</sup> to leverage market power to push China to achieve the necessary reforms of its fisheries governance framework. In the context of SFPAs and the promotion of joint ventures, the EU must promote a dialogue with African countries that fosters the development of a regulatory framework for joint ventures with respect to catch applicable to all vessels of foreign origin, processing and marketing that guarantees that joint ventures operate transparently, do not compete with artisanal fishing and contribute to the development objectives of the partner country.*

*(Strengthen requirements on sustainability and transparency; Identify opaque operations and cases of discriminatory treatment by and in SFPA partner countries)*

Transparency is a major principle of our approach as outlined in point 1. In the context of SFPAs, the Commission requires each partner country to provide data on the global fishing efforts and on the presence of other foreign industrial vessels, including agreements signed with other Distant fishing nations.

Non-discrimination of EU operators compared to other non-national operators active in our SFPA partners is another cornerstone of the SFPAs. The EU asks third countries to apply the same principles to the fleets of other fishing nations by including the so-called non-discrimination clause. In the context of negotiations with our partner countries, we seek disclosure of information regarding existing access agreements with other foreign fleets to ensure that there is no discriminatory treatment against the EU fleet.

*(Link these efforts with other EU policies, e.g. development; Provide increased support to coastal and port States, particularly those with a high presence of Chinese DWF vessels to increase their capacity to fight IUU fishing)*

Coherence across EU policies is an important component of the efficiency of EU's external action.

With regard to development policy, the evaluations of the SFPAs prior to their negotiation and after their implementation contains amongst their criteria the consistency with other EU policies. This includes looking at the EU development policy and external relations.

As part of its commitment to development, the EU works closely with partner countries to direct the sectoral support component of the SFPAs toward activities that contribute to the socio-economic development, food security and employment of local fishing communities. The EU provides financial sectoral support for strengthening control frameworks, through revisions of national legislation, stronger administrative structures, and improved monitoring, control and surveillance systems.

Moreover, in the framework of the IUU Regulation, through the formal and informal dialogues with coastal States where the Chinese fleet operates, particularly in West Africa, we provide both technical and financial support through the dialogues and regional projects to strengthen the coastal States' fisheries management and control systems and their capacities to fight IUU fishing. Of course, each coastal State should also have the political will to make use of these tools, including imposing dissuasive sanctions in case of violations and make sure the fines are paid.

In addition, the EU supports three major regional projects in areas where Chinese vessels operate. These programs promote sustainable fisheries, including improving the capacity to counter IUU fishing in West Africa, the Indian Ocean and the Pacific. Future initiatives in the same regions are foreseen for the period running to 2027.

*(Link these efforts with other EU policies, e.g. trade)*

The relationship between promoting sustainable fisheries abroad and the EU's trade with third countries is first and foremost grounded in the IUU Regulation which prevents products from IUU fishing to enter the EU market. Beyond this, promoting sustainable and responsible sourcing is a general concern that the Commission shares.

This is why the bilateral free trade agreements negotiated between the EU and third countries now all contain chapters on sustainable fisheries. In addition, the Commission is committed to examine how to strengthen the sustainability of the products we import on an autonomous basis.

The Regulation on Autonomous Tariff Quotas (ATQ), which grants access under a duty-free regime to raw materials or semi-finished fisheries goods that are not available in the European Union in sufficient quantities, currently does not contain specific sustainability requirements. In conformity with international trade rules, it applies erga omnes to all third countries, and the importers in the European Union are free to choose the source of their supply. In fact, the number of countries of origin is limited, China being one of the main sources, and some quantities being caught by the European Union fleet.

The Commission will assess the ATQ regime in order to consider future policy choices. We will analyse, among other aspects, the sustainability of the fishery imports with reference to the European Union standards and sustainability norms.

*(Increase coordination of multilateral and bilateral cooperation mechanisms and with other key ocean players)*

As pointed out by the LDAC and MAC, bilateral work with countries where Chinese fleets operate must be complemented by coordination with other channels. We pursue efforts at multilateral level, including in the FAO, for instance through the promotion of the Voluntary Guidelines on Transshipment and the ratification and effective implementation of the PSMA. We promote strong monitoring, control, and surveillance measures, including port state measures in all RFMOs to which the EU is a party, and promote proper compliance assessment processes and high seas boarding schemes, for instance in IOTC and ICCAT, two RFMOs where Chinese vessels are active. We also coordinate with Japan and the United States through the dedicated IUU Working Group with these countries.

#### **4. SUBSIDIES**

- *Investigate whether China is granting or maintaining subsidies to a vessel or operator engaged in IUU fishing or to fishing activities outside of the jurisdiction of a coastal state and outside the competence of a relevant RFMO. If affirmative, use all the channels provided for under the WTO rules to redress the situation.*
- *Given the fact that only a country affected by IUU vessels in its own waters can file a complaint under WTO and that complain mechanisms are expensive and bureaucratic, the EU should push for part of the funds committed under WTO for developing countries for dispute settlement mechanism.*

*(IUU and High Seas disciplines)*

The subsidisation of fleets operating in the high seas outside the competence of RFMOs has long been a major concern. The 12th WTO Ministerial Conference delivered in 2022 a landmark Agreement on disciplining harmful fisheries subsidies worldwide. It establishes the following:

1. Prohibition of subsidies to vessels or operators having engaged in illegal, unregulated and unreported fishing and related at sea activities in support of such fishing;
2. Prohibition of subsidies to vessels or operators for fishing activities regarding overfished stocks conditional on sustainability standards to rebuild such stocks to healthy level;
3. Prohibition of subsidies to vessels or operators for fishing activities in high seas beyond the regulatory competence of a relevant RFMO/As to protect the most vulnerable areas lacking established and coordinated fisheries management regime;
4. Provisions regarding subsidies benefitting vessels not flying the flag of the subsidising Member;
5. Provisions regarding subsidies regarding stocks the status of which is unknown and
6. Extensive transparency and notification provisions to monitor the implementation of the Agreement.

The Agreement will have an effect on membership subsidies once it enters into force. These prohibitions should have an impact on vessels that are owned and subsidised by China, even those flagged in other countries. Furthermore, this Agreement has an important systemic significance: it shows that the WTO membership can deliver multilateral trade rules and the WTO can address today's global sustainability challenges. As we proceed with WTO reform, it provides a good basis and inspiration from which to tackle other global challenges. Therefore, beyond this agreement, the European Union will continue pushing for stronger and more comprehensive measures in the WTO.

The EU is calling on all WTO members to complete their ratification of the Agreement on Fisheries Subsidies so it can enter into force soon. The EU was among the first to deposit its instrument of acceptance for the Agreement on 8 June 2023. China deposited its instrument of acceptance for the Agreement on Fisheries Subsidies on 27 June 2023.

*(WTO fisheries Funding Mechanism)*

As part of the WTO Agreement on Fisheries, members endorsed the establishment of a new funding mechanism, in cooperation with relevant international organisations such as the UN FAO, the World Bank Group, and the International Fund for Agricultural Development. The funds will provide developing and least developed country (LDC) members with targeted technical assistance and capacity building for the purpose of implementing the disciplines under the Agreement.

## 5. TRADE AND SOCIAL RIGHTS

- *Once adopted, make full use of the EU Directive on corporate sustainability due diligence to identify and mitigate risks in the fisheries value chains linked to respect of human rights and environmental impacts. The LDAC and the MAC recommend the production of EU guidelines to comply with the standards. Even though countries like France, Germany or The Netherlands already have legislation on due diligence it is generally speaking not applicable for fisheries, and it only reaches the first step of the supply chain. The LDAC and the MAC support a strong and harmonised EU policy. Nonetheless, the burden on EU companies stemming from compliance costs, has to be adapted to the size, resources available, and the risk profile. As part of the supply chain, retailers will demand compliance from the fishing sector.*
- *The LDAC and the MAC support the development and implementation of a meaningful Commission's strategy to promote decent work worldwide and the new proposal for a regulation on prohibiting products made with forced labour on the Union market. Accordingly, the LDAC and the MAC support strengthening import control, using risk indicators, which would of course include products of Chinese origin or provenance, to protect the EU market from imported fishery and aquaculture products produced through forced labour and other human rights abuses, and to avoid European citizens consume fish caught by vessels that do not respect minimum social and labour conditions.*
- *In this context, promote, and make gradual progress towards requiring, that all imports of fisheries products, especially from China, entering the EU comply with minimum internationally agreed standards such as those enshrined in the Labour Organization (ILO) Work in Fishing Convention, 2007 (No. 188), and transposed in the EU through the Directive (EU) 2017/159.*
- *Equally important are the 1998 Declaration of the ILO on fundamental principles and rights at work, as well as the eight ILO Fundamental Conventions which are horizontally applied to all sectors. This includes the freedom of association and the effective recognition of the right to collective bargaining, the abolition of child labour and the elimination of discrimination in respect of employment and occupation. From a transversal perspective, support efforts to tackle the enabling factors of IUU fishing and human rights abuses such as corruption through, inter alia, risk mitigation strategies that include preventive, law enforcement and transparency measures.*

*(Utilising the EU Directive on Corporate Sustainability Due Diligence)*

The Commission takes good note of the relevance of the proposed Directive on corporate sustainability due diligence for the fisheries supply chain.

The aim of this Directive is to foster sustainable and responsible corporate behaviour and to anchor human rights and environmental considerations in companies' operations and corporate governance. The new rules will ensure that businesses address adverse impacts of their actions, including in their value chains inside and outside Europe. The proposal is now examined by the European Parliament and the Council, and the Commission works actively on its swift approval.

*(Promote decent work and fundamental labour rights worldwide and prohibiting products made with forced labour)*

The Commission deeply deplores any violation of the fundamental rights at work committed to any worker, notably those requiring special protection, including high-risk jobs such as fishers.

EU Member States import-control competent authorities currently do not have a legal basis to detain shipments of goods on the basis that they were made with forced labour. In certain sectors, EU law does mandate importers to abide by some due diligence requirements on the supply of inputs from some areas, such as tin, tantalum and tungsten, their ores, and gold originating from conflict-affected and high-risk areas.

Nevertheless, a broader scope is needed. This is why the EU is working on a European legal basis to prohibit products made with forced labour on the EU market. The proposal made by the Commission covers goods made in the EU for domestic consumption and exports, as well as imported goods (including, of course, fisheries products), without targeting specific companies or industries. The proposal is now examined by the European Parliament and the Council, and the Commission works actively on its swift approval.

With regard specifically to fisheries, labour matters are outside the legal scope of the EU mechanism to fight IUU fishing as well as the international definition of IUU fishing as enshrined in the International Law of the Sea. Nevertheless, the EU IUU fishing dialogues with third countries have resulted in improvements in their domestic interagency cooperation that indirectly helped third countries to better detect and address possible labour abuses in the fisheries sector. A good and comprehensive legal fisheries framework, that establishes a performant fisheries control system (coordinated with labour inspections by means of interagency cooperation) as well as deployment of enforcement actions in fisheries management and conservation policy, have a positive impact in better tackling working conditions in the fishing industry.

Finally, as part of its action on international ocean governance and social agendas, the EU promotes decent work in the fisheries sector, in line with the objectives of the International Labour Organisation (ILO), the International Maritime Organisation (IMO) and the Food and Agriculture Organisation (FAO). The EU promotes the ratification and effective implementation of ILO Convention C188 on work in fishing, as well as other relevant international standards, in particular the IMO Convention on Standards of Training for Fishing Vessel Personnel (STCW-F).

## 6. DEVELOPMENT COOPERATION

- *The LDAC and the MAC recommend that the EU better monitors and reports on the allocation and implementation of development aid granted to third countries and measure progress against the targets set out in the respective programmes.*
- *Link the development support to clear commitments from the third country towards sustainable fisheries. In addition, the Commission should link development cooperation with RFMO negotiations as well as bilaterally within the context of SFPA.*

*(Allocation and implementation of development aid)*

The SFPAs Joint Committees are in charge of monitoring a multiannual sectoral programme agreed by the two parties. In this context, the partner country bears the obligation to submit a progress report to the Joint Committee regarding the implementation of projects funded under sectoral support. Funding is allocated on the basis of identified needs during the programming and disbursements on the basis of the achievement of the deliverables. The Commission, supported by relevant evaluation of the Joint Committee,

has the right to review or even suspend the payment of specific instalments, should the results of the implementation have not met the targets set out at the programming phase.

Additionally, in accordance with the provisions of the CFP Regulation, DG MARE conducts ex-post evaluations (supported by findings from independent external evaluators) at the end of every implementing protocol. They include assessment of the extent to which the sectoral support objectives were met. A similar exercise takes place before the negotiation for a new protocol, addressing points that need to be improved based on the findings of the ex-post evaluation.

*(Link development cooperation with bilateral and regional negotiations)*

As a standard practice, the EU regional programs on the ocean (see point 3) regularly involve RFMOs, therefore placing sustainable fisheries at the centre of development cooperation initiatives.

Furthermore, DG MARE provides financial contributions to partner countries to facilitate and encourage their participation in the RFMOs. This is often funded by the SFPAs sectoral support, such as in the case of Cote d'Ivoire and Madagascar. By encouraging participation in regional negotiations, partner countries are often nudged to implement relevant RFMOs conservation measures.

Finally, tuna-SFPAs are bound by conservation measures and scientific recommendations of the responsible RFMOs, providing for full compliance of national legislation to the RFMOs standards and thus channelling sectoral support funds to ensure sustainable fisheries.

## **7. CAPACITY BUILDING**

- *Strengthen the number and adequacy of human and financial resources dedicated to the formulation and implementation of the EU's policy against IUU fishing in DG MARE and the European Fisheries Control Agency in line with its ambitions.*

The Commission seeks to allocate staff resources in order to deliver on the Commission priorities and obligations, and to re-allocate them where possible, within the overall context of stable staffing under the current multi-annual financial framework.

The Commission remains fully committed to the improvement of international ocean governance and to sustainable fisheries. Despite general resource constraints, it has managed to continue to ensure an ambitious EU Oceans' Agenda and its participation in RFMO meetings, to maintain the number of SFPAs in force, and to pursue its commitment to a zero-tolerance approach towards IUU fishing. Relations with China on ocean governance, including fisheries, are an important cross-cutting part of this commitment. It is important to note that budget and MFF are decided by the EP and the Council.