



## **ADVICE**

### **LDAC Recommendations on sustainability and competitiveness within RFMOs**

**Date of adoption: 12 September 2025**

**R-03-Ej.19 (2025-2026)/WG1-WG2**

#### **1. Rationale: the need for a level playing field within RFMOs, as expressed at EU level**

The LDAC emphasizes the critical need to address level playing field issues within Regional Fisheries Management Organizations (RFMOs), where long-distance EU fleets operate in fishing grounds far from Europe and shared with international actors who may not adhere to the same sustainability standards. This undermines the sustainability of both the resource and the European fleet.

The lack of fairness in global fisheries is a key factor behind the decline in EU wild fish catches. Among the world's major economies and military powers – the USA, China, Russia, India, Japan, and the EU – the EU is one of the few showing a steady decline<sup>1</sup>. China and India continue to expand their catches, while the USA and Russia have maintained stable levels for decades. This decline directly affects the EU's own food security, as well as that of countries that rely on EU fleet catches.

In today's geopolitical context, fish is not only a source of protein but also a strategic resource. Disruptions in supply chains, price shocks, and restricted access to food are increasingly used as instruments of pressure on vulnerable regions, fueling famine, migration, and political instability – developments that directly impact Europe's own security.

In this context, strengthening the EU fleet through a genuine level playing field is essential. EU fisheries not only operate sustainably, protecting fish stocks, but also uphold high social, labour, and safety standards. Supporting them is crucial to safeguard food security; reduce external vulnerabilities; and prevent food from being turned into a weapon in global politics.

This need is especially important in view of the Biodiversity Beyond National Jurisdiction Agreement<sup>2</sup> adopted on 19 June 2023 by the United Nations, which should be ratified by at least 60 parties and enter into force by the end of 2025 or early 2026: RFMOs will have to take a position in relation to the coming Conference of Parties (COP), according to article 4, *"this Agreement shall be interpreted and applied in a manner that does not undermine relevant legal instruments and frameworks and relevant global, regional, subregional and sectoral bodies"*.

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<sup>1</sup> [https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Fisheries\\_catches\\_and\\_landings#:~:text=The%20total%20EU%20catch%20in,2001%20\(see%20Figure%203\)](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Fisheries_catches_and_landings#:~:text=The%20total%20EU%20catch%20in,2001%20(see%20Figure%203))

<sup>2</sup> <https://www.un.org/bbnjagreement/en/bbnj-agreement/text-bbnj-agreement>



Addressing this lack of level playing field is also a European priority, especially in the context of the recent proposal and adoption of European regulations, reports and strategy meant to foster both internal and external level playing field for the European fleet:

- *The European Ocean Pact* of the European Commission, from June 5, 2025<sup>3</sup> outlines a strategic framework to protect marine ecosystems and promote sustainable practices within the blue economy, ensuring the well-being of coastal communities and the health of ocean resources.
- *The Clean Industrial Deal* of the European Commission, published on February 26, 2025<sup>4</sup> aims to enhance the competitiveness and sustainability of European industries by fostering decarbonization and innovation, thereby securing a resilient future for manufacturing within the EU.
- European Commission (2025). *A Competitiveness Agenda for the EU: A Compass for the Future*, COM(2024) 88 final, Brussels, 29 January 2025: this strategic communication sets out a strategic framework to ensure long-term economic resilience and fairness for EU industries, including guidance relevant to global governance contexts such as RFMOs.
- The Draghi Report: A Strategy to Reform the European Economic Model by Mario Draghi, published on September 9, 2024<sup>5</sup>, warns about a possible decline of European industry and provides strategic insights into harmonizing sustainability and economic competitiveness standards across international actors.
- The Directive (EU) 2025/794 amending Directives (EU) 2022/2464 and (EU) 2024/1760 by European Parliament and Council, published on February 26, 2025<sup>6</sup>, seeks to streamline and strengthen corporate sustainability and due diligence requirements, ensuring responsible business practices and enhancing transparency across industries, including regarding social standards.
- Recently updated, the so-called "Faroese regulation" Regulation (EU) 1026/2012 allows the EU to impose trade measures against non-EU countries engaged in unsustainable fishing of shared stocks, to prevent unsustainable seafood from entering the EU market under more favourable trade conditions. The EU should address these issues through the relevant RFMO procedures. If the RFMO does not resolve the issue, and the third country remains non-compliant, the EU can impose trade measures, such as removing preferential tariff treatment.

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<sup>3</sup> [European Ocean Pact](#)

<sup>4</sup> [Clean Industrial Deal](#)

<sup>5</sup> [The Draghi Report](#)

<sup>6</sup> [Corporate Sustainability Due Diligence Directive](#)



- The ongoing proposal of a motion for a European Parliament resolution on the role of social, economic and environmental standards in safeguarding fair competition for all aquatic food products and improving food security (2025/2010(INI)) by MEP Paulo Do Nascimento Cabral<sup>7</sup>.
- The EU's SMEFF Regulation (EU 2017/2403) establishes a mandatory scientific evaluation and authorization framework aligned with RFMO standards for EU-flagged vessels operating beyond Union waters. The now closed EU consultation on Sustainable imports of fishery products under the EU Autonomous Tariff Quota Regulation<sup>8</sup> aims to help determine whether seafood can enter the EU duty-free without any sustainability criteria.

## **2. RFMOs and EU fleets are key to good governance and healthy stocks**

The LDAC welcomes the FAO's 2025 Review of the State of World Marine Fishery Resources<sup>9</sup> which indicates that RFMOs, through their good governance, enhance stock and fisheries sustainability:

- In 2021, an estimated 64.5% of marine stocks were fished within biologically sustainable levels. Notably, the number of underfished stocks - those exploited below their maximum sustainable yield- increased compared to previous years.
- The five tuna RFMOs have significantly improved tuna stock sustainability. As of 2025, an estimated 90 to 95% of tuna landed by volume comes from stocks that are neither overfished nor experiencing overfishing. Also, the status of tuna and tuna-like species has improved over the last decade, with about 87% of stocks not being overfished and 83% not experiencing overfishing. This progress results from harvest strategies and collaborative management within RFMOs.
- Several non-tuna RFMOs managing deep-sea and demersal species have made notable progress. Long-established RFMOs such as NAFO (Northwest Atlantic Fisheries Organization) and CCAMLR (Commission for the Conservation of Antarctic Marine Living Resources), which manage fewer species and have mature management frameworks, generally demonstrate better conservation outcomes and effective implementation of spatial closures protecting vulnerable marine ecosystems.
- As of March 2024, there are 168 MSC-certified fisheries classified as multi-jurisdictional, operating within Regional Fisheries Management Organizations (RFMOs)<sup>10</sup>.

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<sup>7</sup> [Procedure File: 2025/2010\(INI\)](#)

<sup>8</sup> [Sustainable imports of fishery products under the EU Autonomous Tariff Quota Regulation](#)

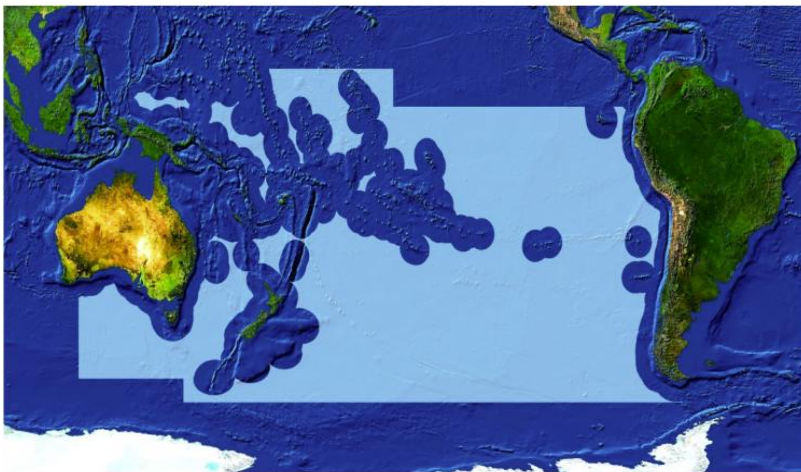
<sup>9</sup> [Review of the state of world marine fishery resources – 2025](#)

<sup>10</sup> <https://www.sciencedirect.com/science/article/pii/S0308597X24000022>

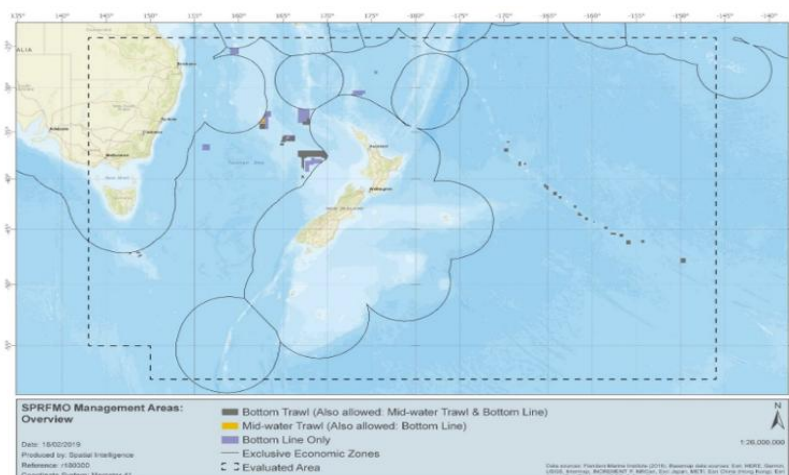
- The South Pacific Regional Fisheries Management Organisation (SPRFMO), which oversees the high seas of the South Pacific, covers approximately one-quarter of the Earth's high seas. Over 99% of the SPRFMO Convention Area is closed to demersal fishing. A similar situation exists in the area managed by the North Pacific Fisheries Commission (NPFC).

### SPRFMO CONVENTION AREA<sup>11</sup>

The evolution of protection measures between 2006 and 2023, thanks to RFMOs management, has been significant as shown below.



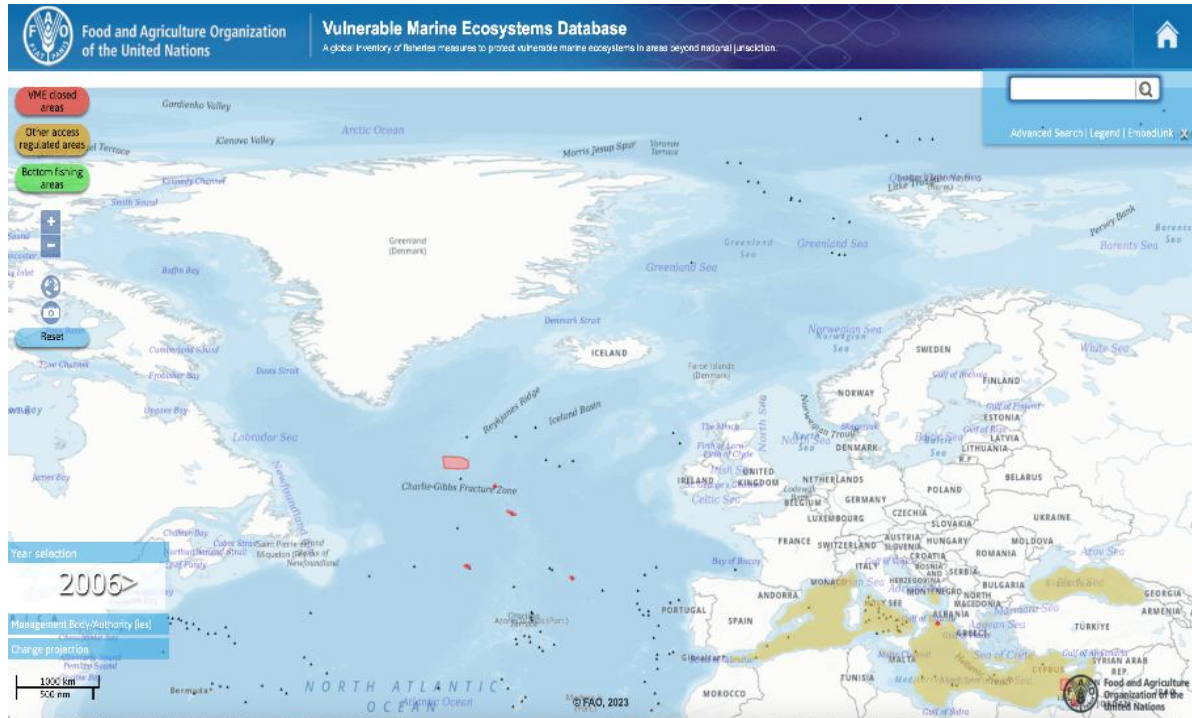
### SPRFMO Bottom Fishing Evaluated Area and Bottom Fishing Management Areas<sup>12</sup>



<sup>11</sup> <https://www.sprfmo.int/about/convention-area>

<sup>12</sup> <https://www.sprfmo.int/assets/Fisheries/Conservation-and-Management-Measures/2025-CMMs/CMM-03-2025-Bottom-Fishing.pdf>







To summarize, where there is good governance through RFMOs, stocks can recover and be well-managed. Where there is none, overfishing occurs or continues.

The LDAC also stresses that the report highlights that the EU fleets operate under robust governance frameworks, notably through the adopted total allowable catches and quota system and due to the strict monitoring, compliance, and surveillance related to the EU fisheries control system and the EU fight against IUU fishing.

### **3. EU long-distance fleet's standards onboard its vessels are applied through all RFMOs**

The LDAC reminds that the EU fleet provides high-quality data to regional compliance and scientific processes, backed up with the strict European framework for fisheries control and traceability, 24/7 geolocation, and voluntary initiatives for both human and electronic observers on board as well as fisheries certification processes (i.e. FIPs, MSC). For example:

- Tuna purse seine fleets apply 100% scientific observer coverage on board, either through human observers or electronic monitoring systems, which ensures the reliability of the data.
- In SPRFMO, the EU fishing industry, the Pelagic Freezer-trawler Association, implements several research<sup>13</sup>, including voluntary self-sampling programs<sup>14</sup>.
- The EU fleet in the North Atlantic Ocean also achieves self-sampling initiatives<sup>15</sup>.

The LDAC stresses the prime importance given in EU fleets to social standards beyond ILO C188 transposed into an EU Directive, as well as positive input from the Social Partners within the SSDC-F to the Commission in order to constantly improve global social and safety standards.

The LDAC also reminds that the fleet is growing its investment in Blue Tech to enhance selectivity and efficiency, investigate decarbonation options, and meet the RFMO's increasing demand for data.

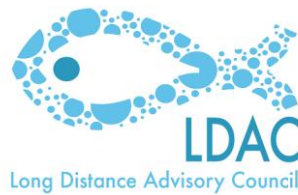
Finally, the LDAC reaffirms the EU fleet's strong commitment to transparency in the context of its international operations. This includes ensuring that bilateral fishing agreements signed with third countries, as well as private chartering arrangements involving EU vessels, are conducted in full compliance with EU rules and international obligations. The LDAC supports efforts to disclose relevant information on access conditions, beneficial ownership, and fishing activities under such arrangements, in line with global standards for responsible and accountable fisheries governance, for all fleets.

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<sup>13</sup> <https://www.pelagicfish.eu/research/>

<sup>14</sup> <https://www.sprfmo.int/assets/Meetings/02-SC/12th-SC-2024/Jack-Mackerel/SC12-JM02-EU-PFA-self-sampling-report-on-CJM-fishing-for-SPRFMO-2024.pdf>

<sup>15</sup> [https://www.pelagicfish.eu/wp-content/uploads/2025/03/PFA-2025\\_01-report-on-2024-scientific-research-projects-v2\\_NoVesselNames.pdf](https://www.pelagicfish.eu/wp-content/uploads/2025/03/PFA-2025_01-report-on-2024-scientific-research-projects-v2_NoVesselNames.pdf)



#### 4. Threats to both EU fleets and resources in RFMOs

The LDAC warns about the difficult context in which the long-distance fleet operates, which ultimately also affects the sustainable use of resources:

- Presence of non-traditional fishing States, particularly large Asian fleets (e.g. Chinese and Korean), which are reshaping access patterns, sometimes through private arrangements or by leveraging bilateral influence. These shifts create new tensions and coordination gaps, especially in regions with limited governance capacity (e.g. West Africa), and unfair competition for EU fleets because of the different standards under which they operate, and less stringent requirements and transparency from their flag states. This also includes illegal fishing practices that are not adequately addressed by existing regulatory measures. This disparity also extends to EU fleets that are increasingly implementing protocols to improve selectivity, minimize bycatch, and reduce emissions, whereas some competing fleets lack equivalent standards, further exacerbating the level playing field issue.
  - IICCAT did not address repeated suspicions of non-compliance with reporting and catching obligations for bigeye from 2016 to 2023; Senegal and Ghana's purse seine fleets have doubled their catches of yellowfin tuna<sup>16</sup> while maintaining the bigeye catches (while bigeye is a stable and quite proportional bycatch of skipjack for purse seine gears).
  - A South Korean seafood conglomerate, Dongwon, which includes tuna purse seine fleets, recently announced its intention to "boost tuna production capacity [in Senegal]" to 60,000t annually<sup>17</sup>. At the same time, the EU's tuna purse seine fleet in the Atlantic Ocean has reduced both its catches and its vessels by 38%, and in 2024<sup>18</sup>, two more fishing companies ceased their activities, further decreasing the fleet's size.
- Lack of compliance and implementation within Regional Fisheries Management Organizations (RFMOs) and Coastal States, which lack of effective tools for enforcement, compliance, and dispute settlement. As an example:
  - In ICCAT, the European Union presented cases of non-compliance of Asian-owned vessels flagged in West Africa with the FAD moratorium at the annual meeting in 2024 and in intersession in 2025, but these were not denounced at the Compliance Committee, and illegal fishing likely continues.
  - In ICCAT in 2024, Namibia has exceeded its quota of shortfin mako in the South Atlantic in clear non-compliance with Rec 22-11 but has not been required to repay its excess catches in the following year(s).

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<sup>16</sup> ICCAT's published catch data

<sup>17</sup> [Dongwon to double investment, workforce in Senegal - Undercurrent News](#)

<sup>18</sup> ICCAT's published catch data



- Weak control and enforcement by some developing coastal states — which have recently received quotas or flagged foreign-owned vessels, including some with Asian interests — can lead to non-compliance, as highlighted below. As a result, established EU fleets are seeing reduced catches and limited access to fisheries resources.
- Unilateral quotas and decisions are made by members of some RFMOs, like the North-East Atlantic Fisheries Commission (NEAFC). As examples:
  - o In the Northeast Atlantic, there is no agreement on the allocation of fishing opportunities for mackerel, blue whiting and Atlanto-Scandian herring, due to some Coastal States other than the EU systematically setting unilateral shares that are disproportionate to their historic track records, resulting in total catches going beyond the TAC set in line with scientific advice.
  - o NEAFC faced challenges at its 2024 Annual Meeting in achieving consensus on the sustainable management of fish stocks, on the control and monitoring of fishing activities, and on how to tackle illegal, unreported and unregulated (IUU) fishing. For example, a compliance report was not issued for the first time in NEAFC's history. This means that serious infringements of the NEAFC rules involving vessels from some NEAFC parties have not been formally recognised by the organisation and will not be followed up on. Furthermore, infringements of other fleets operating in the NEAFC area (including candidate non-contracting parties such as Panama or the Bahamas) will also face no sanctions in 2025.
  - o In NEAFC, again, in 2024, Russia opposed all five other parties in implementing any analysis or measures regarding Redfish in the Irminger Sea, not sending any data to ICES nor accepting the ICES advice of TAC 0.
  - o Russian vessels have also been engaging in bottom fishing outside the designated bottom fishing areas and doing so without notifying NEAFC. Fishing outside those areas is prohibited under the NEAFC recommendation aiming to protect vulnerable marine ecosystems.
- Challenges posed by climate change adaptation and its impact on fish stocks affect the sustainability and availability of fisheries resources.
- External market pressures, considering that the EU depends on imports for 70% of its seafood, add complexity to maintaining a competitive and sustainable fishing industry.

The LDAC also 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 with 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.

Otherwise, the RFMOs' role in international ocean governance might be severely reduced and could lead to regulatory fragmentation. Promoting inclusive governance with balanced ecological, socio-economic, and technical considerations will be key in advancing shared sustainability goals and strengthening the role of RFMOs within a coherent global ocean governance framework.

The LDAC finally warns that:

- Lately, the European Commission has decreased its participation during LDAC deliberations, which requires an increasingly greater provision of inter-AC advice on RFMOs instead of hearing the specific concerns unique to each AC. This hinders the ACs' ability to give advice to the Commission on technical details and specific issues and report on the specificities of the different European fleets.
- The European Commission's transposition of RFMOs' resolutions sometimes worsens the level playing field between EU and non-EU fleets:
  - o By adopting additional obligations through the transposition act, for example, at the SPRFMO level, only the authorities of the *carrier vessel* are required to send the transshipment notification. However, at the EU level, it is also mandatory for the authorities of the *EU fishing vessel* to transmit information.<sup>19</sup> Also, during the ICCAT's latest transposition process, the original Commission's proposal of regulation amending Regulation (EU)2017/2107 included additional rules on the biodegradability of Fishing Aggregating Devices, going beyond RFMO rules. They were refused by the European Parliament.
  - o Excessive delays penalize EU fleets as a rule is often only at regional level: for example, while the SPRFMO deleted the obligation for each CPC to notify 21 days before their flag vessel enters RFMO waters, the EU still did not.
  - o The Southern Indian Ocean Fisheries Agreement (SIOFA) is a recently established RFMO which only became fully operational in 2016. The organisation adopts conservation and management measures (CMMs) for the fishery resources under its responsibility. These are binding on all contracting parties. The EU must transpose these measures into EU law so that they apply to EU vessels. Currently, only one EU fishing vessel (from Spain) is active in the area.

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<sup>19</sup>SPRFMO: [https://www.sprfmo.int/assets/Fisheries/Conservation-and-Management-Measures/2023-CMMs/CMM-12-2023-Transshipment\\_29Mar23.pdf](https://www.sprfmo.int/assets/Fisheries/Conservation-and-Management-Measures/2023-CMMs/CMM-12-2023-Transshipment_29Mar23.pdf);

EU: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02018R0975-20250506&qid=1751445724001>



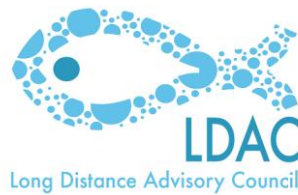
On 4 November 2022, the Commission adopted a proposal to transpose the current SIOFA measures into EU law and to set up a mechanism for implementing future measures. The European Parliament rejected this proposal because it went beyond the requirements of SIOFA measures.

Furthermore, the EC proposal came only seven years after the first SIOFA measures so there has been a long delay in the transposition for important bottom-fishing measures (for example effort limitations and measures to protect vulnerable marine ecosystems); measures to protect marine species including a ban on the use of large-scale pelagic driftnets and deep-sea gillnets, a ban on fishing for deep-sea shark species and measures to reduce seabird by-catch; monitoring and control measures (including the obligation to use a vessel monitoring system); and port measures, enforcement, data collection and reporting.

- There is a lack of coherence between fisheries and other policies, which raises concerns about the actual level of dialogue and cooperation between Directorate-Generals, especially DG MARE, DG TRADE, DG DEV, DG EMPL and DG ENVI.
  - o This is particularly visible in WTO or Free Trade Agreement negotiations, where ratification and implementation of most fisheries-related treaties, including ILO C188 and membership to relevant RFMOs, are not compulsory. This lack of binding requirements allows third countries to access the EU market under favourable terms, even if they do not follow the same labour or sustainability rules that EU fleets must comply with, undermining the level playing field.
- RFMO decisions are also not considered enough in CITES, and many decisions end up applying only to the EU. For instance, despite ICCAT adopting a TAC for the southern shortfin mako shark, ICES continues to advise zero catch. As a result, the EU, which applies stricter CITES rules and requires a science-based Non-Detriment Finding, effectively prohibits its fleets from fishing this species. In contrast, other ICCAT members interpret CITES requirements less strictly and continue to fish within the agreed TAC, creating an uneven playing field for EU fleets.
- The budget for travelling and science is decreasing within DG MARE, preventing the negotiation teams from fully covering all the preparatory meetings that are essential to correctly preparing for RFMO annual meetings.
- The LDAC hopes that the recently published Communication on the European Ocean Pact (COM/2025/281 final)<sup>20</sup> will help to provide a single reference framework that spans all policy areas, including the strengthening of ocean diplomacy in RFMOs, enabling a more effective and coordinated response to the pressing issues facing the EU's oceans. This pact should bring together the European Union's policies and actions related to the ocean and create a unified and coordinated plan for managing the ocean.

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<sup>20</sup> [https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=comnat:COM\\_2025\\_0281\\_FIN](https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=comnat:COM_2025_0281_FIN)



### **LDAC RECOMMENDATIONS**

In order to ensure the sustainability of the resource and competitiveness of the fleet, the LDAC reiterates its position as expressed in its Recommendations for a level playing field for the EU and non-EU fish products of 25 May 2021<sup>21</sup>, and also in the LDAC Recommendations on Strengthening the European Union Role In the field of International Fisheries Governance of 18 December 2018<sup>22</sup> and specifically recommends the following to the European Commission:

**R1. Increasing investment in science and human resources within DGs to ensure that all RFMOs' scientific and technical working groups and meetings are duly covered; this will improve the working conditions of the negotiating team and favour a better level playing field with other states.**

**R2. Sending DG MARE representatives to the LDAC working groups, especially before the RFMO annual meetings, to discuss the LDAC advice.**

**R3. Increasing synergies between DGs to effectively implement in the spirit of the Ocean Pact.**

**R4. Ensuring the faithful and timely transposition of resolutions adopted by RFMOs into EU legislation. This transposition should be carried out in full alignment with international legal frameworks and standards, such as the UN Fish Stocks Agreement and the FAO Code of Conduct for Responsible Fisheries.**

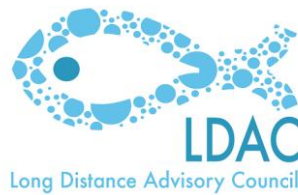
**R5. Outside of the transposition scope, when EU fisheries regulations are to go beyond internationally agreed rules, providing both socio-economic impact assessments and scientific advice beforehand, duly considering the Interinstitutional Agreement on Better Law-Making.**

**R6. Ensuring that European proposals in RFMOs are coherent with the international frameworks and standards, which implies, inter alia, that no European proposal should go below the agreed international social and labour standards (e.g. ILO 188).**

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<sup>21</sup> [EN LDAC Advice LPF 25May2021.pdf](#)

<sup>22</sup> [https://ldac.eu/images/documents/publications/LDAC Recommendations on EU Role in International Fisheries Governance December2018.pdf](https://ldac.eu/images/documents/publications/LDAC_Recommendations_on_EU_Role_in_International_Fisheries_Governance_December2018.pdf)



**R7. Strengthen the messaging and utilize all available tools, including market pressures, to encourage members of RFMOs to adopt important but long-delayed measures. These measures include the High Seas Boarding and Inspection (HSBI) scheme, regional Vessel Monitoring Systems (VMS), and active lists of vessels.**

**R8. Consistently identify fish stocks that are sensitive in free trade agreements and make duty-free access for these conditional on the country's ratification of key international regulations, compliance with RFMO rules on adopted measures, and good faith negotiations within RFMOs.**

**R9. Include a link to RFMO compliance for EU marketing standards. The EU should limit access to the future Autonomous Tariff Quota to raw materials sourced from countries that have ratified key international agreements on labour conditions and fisheries management, including membership in relevant RFMOs. In addition, for the sustainability criteria that are being considered with the future ATQ system, compliance with RFMO requirements and rules should be taken into consideration.**

**R10. Initiating a joint work with the competent DGs, including DG EMPL, and the Social Partners and LDAC, to make operative Guidelines to Fight Against Forced Labour, that are paramount in the context of both the Due Diligence Directive and the Regulation on prohibiting products made with forced labour on the Union market<sup>23</sup>.**

**R11. Integrating compliance with RFMOs into the ongoing EU marketing standard review.**

**R12. Once BBNJ enters into force, insisting on national delegations to BBNJ processes to proactively consult with their representatives in RFMOs and other intergovernmental fisheries bodies to align national positions and incorporate RFMO expertise, especially in areas like data sharing, monitoring, and collaborative management, will avoid incoherences and conflict between BBNJ and existing regional frameworks. These actions are to ensure that the new global regime reinforces the role of RFMOs in International Ocean Governance.**

**R13. Promote the integration of low-impact fishing into RFMO discussions by encouraging the adoption of best practices on selective fishing gear, low-emission techniques, bycatch mitigation technologies, and humane handling of both target and non-target species, thereby reinforcing existing sustainability and social standards.**

**-END-**

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<sup>23</sup> Legislation published on December 12, 2024: <https://eur-lex.europa.eu/eli/reg/2024/3015/oj/eng>