

Law in action: turning the tide on ocean protection

JUNE 2025



GLOSSARY

30x30	Target 3 under the Kunming-Montreal Global Biodiversity Framework (conserve 30% of Land, Waters and Seas by 2030)
BBNJ Agreement	Agreement under the United Nations Convention on the Law of the Sea on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction
CFP	EU Common Fisheries Policy
EMFAF	European Maritime and Aquaculture Fund
EMFF	European Maritime and Fisheries Fund
FAO	UN Food and Agriculture Organization
GBF	Kunming-Montreal Global Biodiversity Framework
IPBES	Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services
ITLOS	International Tribunal for the Law of the Sea
IUU fishing	Illegal, unreported and unregulated fishing
MFF	EU Multiannual Financial Framework
MPAs	Marine protected areas
MSFD	EU Marine Strategy Framework Directive
MSY	Maximum sustainable yield
NDCs	Nationally Determined Contributions (under the UNFCCC Paris Agreement)
NRL	EU Nature Restoration Law
TCA s	Total allowable catches
UNCLOS	UN Convention on the Law of the Sea

ClientEarth[⊕]

ClientEarth is a non-profit organisation that uses the law to create systemic change that protects the Earth for – and with – its inhabitants. We are tackling climate change, protecting nature and stopping pollution, with partners and citizens around the globe. We hold industry and governments to account, and defend everyone's right to a healthy world. From our offices in Europe, Asia and the USA we shape, implement and enforce the law, to build a future for our planet in which people and nature can thrive together.

TO DISCUSS THIS BRIEFING FURTHER, PLEASE CONTACT:

Quentin Marchais, Senior Advisor, Food Systems, Ocean and Land Use, qmarchais@clientearth.org

Pierre Cannet, Global Head of Public Affairs & Policy, pcannet@clientearth.org

Foreword from ClientEarth CEO, Laura Clarke OBE

Why does this UN Ocean Conference matter? Protecting and restoring the ocean **is essential for all life on Earth**. Resilient and biodiverse marine ecosystems **safeguard the livelihoods of millions of fishers and coastal communities** and contribute to **food security** worldwide. A healthy ocean is also amongst our greatest allies in the **fight against climate change**.

However, there is much at risk and we are already in a **code-red for our blue planet**. From overfishing and oil and gas exploration to plastic pollution and global warming, the pressure on our ocean from unsustainable and harmful human activities has never been greater.

ClientEarth has been working on ocean protection for over a decade – starting more than 15 years ago, in 2009, on the revision of the EU Common Fisheries Policy. Since then – to name just a few of our legal actions and advocacy – we have been **defending marine protected areas** in the Mediterranean, **helping to evolve legal frameworks** in Asia, **challenging illegal fishing** in Europe, advocating for a landmark EU Ocean Pact, and **raising awareness of corporate and financial risks** relating to the degradation of the ocean.

We, therefore, welcome the opportunity that this UN Ocean Conference is providing to focus the world's attention on the seas and the lives that depend on them. But it should be more than just a conference. It is where **commitments must become action**, and where **the law must be recognised as a catalyst for ocean protection and recovery**.

Just as we need to reject 'paper parks' – marine protected areas in name only – **we must also guard against 'paper commitments'**. This report outlines the combined experience of our team of marine lawyers and policy experts, drawn from countries across Asia and Europe, who work closely with a wide range of stakeholders and partners across the world. We are all united by a commitment to demonstrate that **law – when properly enforced and implemented – can be a powerful tool to protect the ocean** and drive real change for the benefit of all.

Effective enforcement of existing legal frameworks and regulations is a precondition for protecting and restoring the ocean, alongside a **just transition in the fishing sector towards low-impact, sustainable practices**. This will benefit not just the marine ecosystems, but also the fishers and coastal communities who depend on them.

This must be the conference that turns the tide – we look forward to seeing the law better enforced and used to protect the ocean.

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A healthy ocean is fundamental for people and nature to thrive together

We live on a blue planet where water covers 70% of our world's surface. The ocean is home to more than 250,000 known species (and many more yet to be discovered), and hundreds of millions of people are dependent on marine resources for their livelihoods, food security, and way of life. It generates 50% of the oxygen we breathe, plays a key role in global and local climate systems, and is also our planet's largest 'carbon sink'.¹

However, the ocean is facing an escalating crisis: marine ecosystems are collapsing; fish stocks are dwindling due to rampant overfishing; pollution is pervasive – whether from plastics, chemical runoff, or industrial waste; anthropogenic climate change is heating up and acidifying its waters; and marine life is disrupted by noise and land-use changes from human activity. Much of this contributes to vicious circles to which we are adding new threats, such as open-net aquaculture and deep-sea mining.

The consequences are profound – and not just for nature. The World Economic Forum's [2025 Global Risks Report](#) ranks biodiversity loss and ecosystem collapse (including the marine ecosystem) and critical changes to Earth systems (including ocean currents and sea level rise) as two of the top three most severe risks facing humanity over the next decade.

A deteriorating ocean jeopardises the multitude of environmental, economic and social benefits provided by healthy marine ecosystems to our societies and directly impacts the rights and livelihoods of people worldwide – with Small Island Developing States, less developed countries, coastal communities and marginalised groups disproportionately affected.

Tipping points are in sight and urgent, ambitious and unwavering efforts are needed **to turn the tide and address the systemic drivers of ocean degradation**.

Laws for protecting the ocean

Sovereignty over the ocean, including territorial and international waters and the seabed, has been claimed and challenged since the times of ancient civilisations.

In modern times, a number of international agreements and legal frameworks have codified the laws of the sea and set targets for securing a healthy ocean. Two key examples are the UN Convention on the Law of the Sea and the Kunming-Montreal Global Biodiversity Framework.

The [UN Convention on the Law of the Sea \(UNCLOS\)](#) (adopted in 1982 and entering into force in 1994) embodied the traditional rules for the uses of the ocean, introduced new legal concepts and regimes, addressed new concerns and provided the framework for further development of specific areas of the law of the sea. It governs many key aspects of ocean space, such as delimitation, environmental control, marine scientific research, economic and commercial activities, transfer of technology and the settlement of disputes relating to ocean matters. The convention has an entire part dedicated to the protection and preservation of the marine environment but environmental provisions are found throughout.

It is supplemented by three implementing agreements – all of which include provisions on the protection and preservation of the marine environment: the [1994 Part XI Agreement](#), which concerns the seabed

¹ UN, [The ocean – the world's greatest ally against climate change](#), (accessed 27.05.25)

mining regime; the 1995 [United Nations Fish Stocks Agreement](#); and the recent [2023 Agreement on the Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction](#), which has yet to be ratified.

The [Kunming-Montreal Global Biodiversity Framework \(GBF\)](#) agreed in 2022 under the legally-binding [Convention on Biological Diversity](#), sets the pathway to protect our ocean more thoroughly and deliver the vision of a world living in harmony with nature by 2050. Key elements of the GBF are four goals for 2050 and 23 targets for 2030 – addressing issues from biodiversity and ecosystem conservation, and sustainable and fair use of resources, to improving participation and decision making, and redirecting finance.

At the regional and national level, a range of legislation exists that sets out the rules for the use of the ocean and its resources. These include sector-specific laws and regulations – for example, in the EU: the [Habitats](#) and [Birds Directives](#), the [Nature Restoration Regulation](#), the [Marine Strategy Framework Directive](#), the [Bathing Water Directive](#), and the [Common Fisheries Policy](#). And in China: the [Marine Protection Law](#), the [Fisheries Law](#), and the [Islands Protection Law](#).

There are also agreements and legal frameworks covering broader and interconnected issues (including the foundations for rule of law) at an international, regional and national level, such as: climate change (e.g. the [Paris Agreement](#) under the [UN Framework Convention on Climate Change \(UNFCCC\)](#), the [European Climate Law](#), the [UK Climate Change Act](#)); pollutants (e.g. the [EU Packaging and Packaging Waste Directive](#)); human rights (e.g. the [UN Declaration of Human Rights](#), the [UNECE Aarhus Convention](#), the [European Convention on Human Rights](#)); and corporate responsibility (e.g. the [EU Corporate Sustainability Due Diligence Directive](#)).

However, despite all of these legal protections and tools, all too often, nation states and international bodies are failing to take this opportunity and carry out their legal obligations to secure a healthy ocean for all life on Earth.



What we want to see from UNOC:

let's put the tools to secure a healthy ocean to work

The UN Ocean Conference (UNOC) is the United Nations conference dedicated to the full implementation of [Sustainable Development Goal 14](#), "Accelerating action and mobilizing all actors to conserve and sustainably use the ocean", with the aim to bring all relevant stakeholders together to mobilise action for the conservation, protection and sustainable use of the ocean, seas and the marine resources.

The Third UNOC will adopt – by consensus – a brief, concise, action oriented and intergovernmentally agreed declaration, which along with a list of voluntary commitments, will be referred to as the 'Nice Ocean Action Plan'.

This declaration is a key output which will set the tone of ambition by States around the world to address the increasing crisis that our ocean is facing.



It is time to turn the tide on ocean protection

As an organisation working on the law as a powerful lever for change, we call for this declaration to include a strong focus on enforcement and implementation of international, regional and national laws that already aim to protect the ocean, its resources, and the people who depend on it.

We also call for this declaration to include strong components that will aim to foster and accelerate the transition of the fisheries sector to low-impact and sustainable fishing practices.

The Protection Principle

ClientEarth is part of the **Let's Be Nice to the Ocean** initiative, which advocates for the **Protection Principle** – a transformative evolution of the Precautionary Principle, established at the 1992 Rio Summit. The Protection Principle is a fundamental shift in ocean governance, by making ocean protection the norm rather than the exception – explicitly reversing the burden of proof from ocean defenders to those pursuing extractive or polluting activities in the ocean. The Protection Principle makes ocean protection the default, recognises the ocean's intrinsic value, prioritises conservation over exploitation, and supports ocean justice, especially for Indigenous Peoples and coastal communities.

Priority one

Enforcement of the law is a precondition to saving the ocean

The law is a powerful tool but the wide range of legal frameworks and agreements that have already been put in place by governments across the world can only help address the triple planetary crises – climate breakdown, nature loss, and pollution – if they are used properly.

According to Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services' (IPBES), transformative change is needed to meet the Sustainable Development Goals and longer-term visions for biodiversity. This requires all decision makers to contribute "through enhanced and improved implementation and enforcement of effective existing policy instruments and regulations."²

Failure to do this undermines the rule of law and hinders governments' ability to protect the short and long-term interests of their citizens and future generations.

This is happening all too often, however, with too many examples across the world where civil society organisations, communities and individuals – including ClientEarth – are having to hold governments to account for failing to abide by and uphold agreed rules: from preventing harmful activities in marine protected areas, to tackling overfishing and ensuring action is taken to address the existential threat from climate change and biodiversity collapse.

The enforcement of existing laws and agreements, therefore, needs to be a priority for national governments and international bodies to protect and restore the ocean.

Priority two

The transition to sustainable and low-impact fishing must be accelerated and supported

Overfishing and damaging fishing practices – in particular by large-scale industrial fleets – are key drivers of ocean degradation. And so is Illegal, Unreported and Unregulated fishing (IUU). It is, therefore, imperative that governments and businesses act to drive and support the fisheries sector in accelerating its transition to sustainable and low-impact fishing. This needs to be fair to small-scale fishers, support livelihoods, and allow coastal communities to thrive along with the ocean."

Dialogue and collaboration across all stakeholders are generally recognised as prerequisites for this to happen. We all need to acknowledge that a healthy ocean is not a nice-to-have but essential for life, wellbeing and the economy – and that the cost of inaction will have ripple effects across the world.

This is particularly true for the fisheries sector, given its role in supporting food security, jobs, and economic development whilst also being extremely vulnerable – in particular small-scale fishers and coastal communities – to the risks and impacts from an increasingly degraded ocean.

Supporting small-scale and low-impact fishers as well as combating IUU can enhance the resilience of local and national economies by promoting sustainable fisheries management, which preserves marine biodiversity, ensures food security in the long-term, and can help reduce dependence on imports. Reinforcing local economies and creating jobs in coastal communities also fosters social cohesion and the preservation of cultural heritage.

It is, therefore, vital that stakeholders collaborate to accelerate a just transition to small scale, low-impact fishing.

² IPBES (2019), [Global assessment report on biodiversity and ecosystem services of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services](#).

Priority one: Enforcement of the law is a precondition to saving the ocean

Delivering global commitments at a national level

Global targets for protecting and restoring biodiversity loss



ClientEarth calls on countries to adopt and implement comprehensive, cross-sectoral legal frameworks that integrate the ocean into every area of governance, ensuring that ocean health becomes central to socioeconomic development.

The [GBF](#) is a landmark global commitment to halt and reverse biodiversity loss by 2030 - or more specifically: restore 30% of all Degraded Ecosystems by 2030 ([GBF Target 2](#)); and conserve 30% of Land, Waters and Seas by 2030 (also known as '30x30') ([GBF Target 3](#)). The targets are set but they need to be embedded in domestic law to transform the promises into enforceable actions on the ground.

Comprehensive, cross-sectoral legal frameworks that integrate nature into every area of governance need to be adopted – in line with [GBF Target 14](#) 'Integrate Biodiversity in Decision-making at Every Level' – to deliver robust national biodiversity strategies and advance these targets. Parties need to undertake a complete assessment of their national legal systems to: understand whether sectoral legislation properly integrates the conservation and sustainable use of biodiversity, which includes ocean ecosystems; assess its negative impacts on nature; and provide for adequate measures to mitigate these – while seeking co-benefits and supporting Indigenous Peoples' and local communities' participation in their implementation.

For example, the [EU Nature Restoration Law](#) (NRL), adopted in 2024, aims to ensure that EU Member States collectively restore at least 20% of the EU's land and marine areas by 2030 and all ecosystems in need of restoration by 2050. ClientEarth, as part of the [#RestoreNature Coalition](#), played a key role by providing legal analysis and advocating for enforceable targets. Now that the NRL has been adopted, the focus shifts to its implementation across all EU Member States. By September 2026, each country is required to submit a National Restoration Plan, detailing how they will meet the law's legally-binding targets. [These plans must include specific measures for restoring ecosystems, clear timelines for action, and mechanisms for monitoring progress.](#) Close collaboration between national governments, stakeholders, and civil society will be essential to ensure that these plans are both ambitious and feasible.

In the case of GBF Target 3 in the EU, ClientEarth is advocating for the need to accelerate progress to protect at least 30% of EU marine waters as protected areas by 2030, with a minimum of 10% designated as strictly protected. This includes the Mediterranean where focus must also be on prioritising critical habitats and species to safeguard the region's unique biodiversity. This is discussed further in the section on [marine protected areas](#), as well as in the sections on the [European Union](#) and [Mediterranean](#) priorities.

Delivering effective Marine Protected Areas – protected must mean protected



ClientEarth calls on countries to effectively implement and enforce all relevant legal frameworks and agreements, at an international and national level, to ensure that marine protected areas (MPAs) are able to fulfil their role as a key tool for delivering 30x30 under the [Global Biodiversity Framework](#) and help restore a healthy ocean.

Currently only about 8.5% of the ocean is protected in some way.³ However, there is not only a significant gap in ambition towards achieving 30x30. Weak implementation and a lack of enforcement often mean that the too few existing MPAs are often no more than paper parks.^{4,5} This undermines not only their conservation benefits but also their wider socio-economic benefits, such as for fisheries and tourism.

Enhancing the effectiveness of both existing and new MPAs requires countries to effectively implement and enforce existing legislation to ensure the adoption of robust management plans, environmentally sound conservation objectives, other appropriate conservation measures, and sustainable funding to ensure long-term success.

A 2020 report by the EU Court of Auditors on marine environment protection stresses that proper implementation and enforcement of laws regulating MPAs could lead to immediate positive economic effects for relevant stakeholders.⁶ The European Commission also noted that enhanced implementation and enforcement “could be more important than legislative changes”.⁷ According to the European Environment Agency: properly managed MPAs would not only enable the conservation of marine stocks but also increase annual profits of the seafood industry by more than €49 billion; and protecting EU coastal wetlands could further save the insurance industry €50 billion annually through the reduction of flood damages.⁸

The benefits and actions to deliver thriving MPAs are clear – yet across Europe, for example, countries continue to tolerate destructive activities in MPAs, including bottom trawling and hydrocarbon exploration and exploitation. This can be attributed to the poor enforcement of European conservation laws (e.g. the [Habitats Directive](#) and the [Mediterranean Regulation](#) in the EU and [Habitats Regulations in the UK](#)) – as well as the lack of legally-binding targets to achieve 30x30 at the EU level.

In recognition of the impact caused by bottom trawling, [Greece](#) and [Sweden](#) have announced they will ban or strongly restrict it in their MPAs, with Sweden going further and banning the practice in all its territorial waters.



Elsewhere in the EU, however, failure to simply enforce existing protections has resulted in ClientEarth filling legal cases with partners in 2024 against [Spain](#), [France](#) and the [Netherlands](#) to challenge bottom trawling in MPAs – these cases are ongoing.

ClientEarth has also been working at the EU level to call for systemic legal interventions by the European Commission against Member States who are unlawfully allowing bottom trawling in EU MPAs. In April 2025, we filed a legal [complaint](#), alongside the Environmental Justice Foundation and other partners, regarding France, Germany, and Italy.

³ SkyTruth, [30x30 tracker](#) (accessed 27.05.25)

⁴ Pike E.P., et al. (2024), [Review: Ocean protection quality is lagging behind quantity: Applying a scientific framework to assess real marine protected area progress against the 30 by 30 target](#), Conservation Letters.

⁵ Dorigatti J., et al. (2022), [Marine protected areas and the problem of paper parks](#). 10.36253/979-12-215-0030-1.19.

⁶ European Court of Auditors (2020), Special Report 26/2020, [Marine Environment: EU protection is wide but not deep](#).

⁷ Ibid.

⁸ European Commission (2020), [The business case for biodiversity](#).

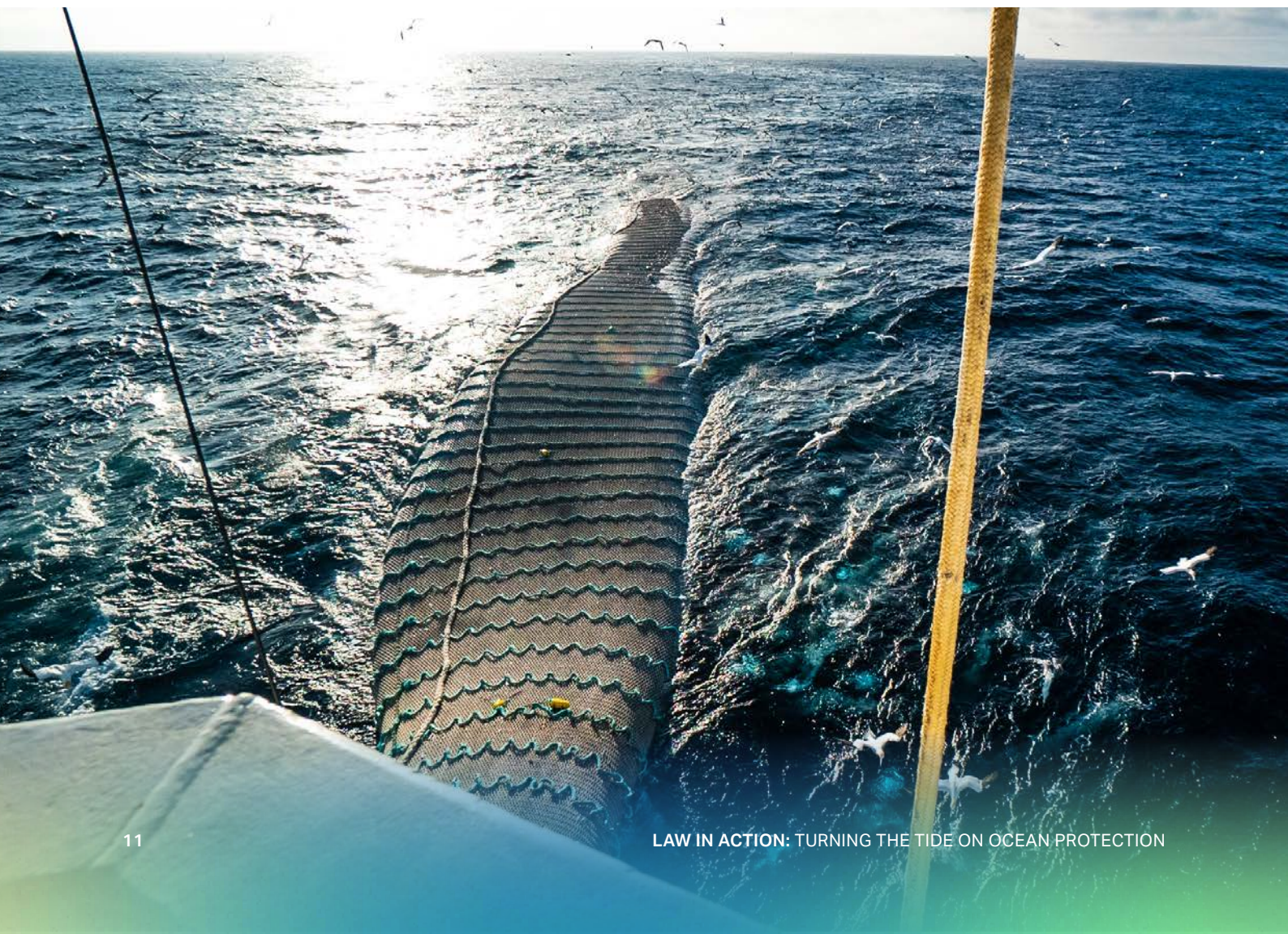
The actions are ongoing but it is useful to note a recent ruling, in May this year, by the General Court of the European Union that confirms that MPAs must be effectively safeguarded from harmful fishing practices such as bottom trawling.⁹ This was in response to a legal challenge brought by a German fishing association seeking to annul conservation measures introduced by the European Commission in several German MPAs.



With regard to offshore hydrocarbons activities, ClientEarth has successfully challenged harmful gas exploitation in a sensitive marine area in Italy near the Po Delta – a UNESCO World Heritage Site – and a Natura 2000 site that had been authorized by the Italian Ministry of Ecological Transition. With national partners, we argued that the authorities had failed to assess the environmental impacts by the proposed Teodorico gas platform and was, therefore, failing to enforce the EU Habitats Directive and [the Italian Environmental Code](#). In November 2024, the Lazio Administrative Court [ruled in our favour – halting the project](#).

In Greece, we have [filed a complaint to the European Commission over similar systemic breaches in Greek seas](#), urging action against oil and gas drilling in the Hellenic Trench – a marine biodiversity hotspot. Following our legal submissions, [the Commission confirmed, in December 2024, it would seek clarifications from Greece](#). In parallel, we are supporting scientific research on the impacts of seismic surveys to strengthen our legal and advocacy work.

⁹ Court ruling has not yet been published—see ClientEarth (21 May 2025), [EU Court confirms Marine Protected Areas must be shielded from destructive bottom trawling](#).



International legal obligations to protect the ocean against climate change



ClientEarth is calling on States to ensure they are complying with their obligations under [UNCLOS](#) to protect the ocean from climate change and reduce pollution, as set out by the International Tribunal for the Law of the Sea. This includes submitting robust climate plans – i.e. their Nationally Determined Contributions (NDCs) – ahead of the deadline for UNFCCC COP30 and ensuring that these are grounded in domestic law and in full compliance with their international legal obligations.

Climate impacts such as ocean warming, acidification and rising sea levels are already disastrous for small island nations. In early March 2023, Vanuatu faced two category four cyclones within 72 hours – unprecedented in history.

Island inhabitants and their governments are bringing these impacts to the world's attention: few can forget Tuvalu's foreign minister's statement ahead of the 26th Conference of the Parties to the UNFCCC delivered whilst [knee-deep in the sea](#). These States are also assuming leading roles in clarifying international legal obligations to push along the global efforts to mitigate and adapt to climate change.

In 2022, the Commission of Small Island States on Climate Change and International Law (COSIS) asked the International Tribunal for the Law of the Sea (ITLOS) to confirm the scope and content of State obligations to protect and preserve the marine environment considering the impacts of anthropogenic greenhouse gases on the ocean.¹⁰ Specifically, it sought to ascertain whether anthropogenic greenhouse gases constituted 'pollution' under UNCLOS and therefore countries had the obligation to reduce their emissions, to comply with their obligation to protect the ocean.¹¹

In May 2024, ITLOS issued its [advisory opinion](#) confirming that: 1) States have clear legal obligations under UNCLOS to reduce their greenhouse gas emissions in order to protect the ocean by, amongst others, reducing this form of pollution; 2) climate action may need to go beyond the [Paris Agreement](#) to meet State's legal obligations on marine protection; and 3) States with the greatest historic responsibility for the climate crisis must do more than States with a smaller footprint. In July 2024, ClientEarth, the Centre for International Environmental Law, Pacific Islands Students Fighting Climate Change and World's Youth for Climate Justice published a [joint legal memorandum](#) on the relevance of the ITLOS advisory opinion for the ongoing [International Court of Justice Climate Advisory proceedings](#).

NDC pledges under the Paris Agreement thus far are collectively insufficient to limit global warming to 1.5°C, with limited or no overshoot. The new round of NDCs – that Parties must submit by September ahead of the 30th meeting of the Conference of the Parties to the UNFCCC (COP30) in Belém, Brazil – need an urgent scale up of ambition. To ensure that these NDCs are delivered, [ClientEarth is working with local partners, WWF and Globe Legislators](#) to advocate for Parties to make their NDCs legally binding in their domestic frameworks, including [by adopting and improving existing framework climate laws](#).

¹⁰ See [ITLOS, Request for an Advisory Opinion submitted by the Commission of Small Island States on Climate Change and International Law \(Request for Advisory Opinion submitted to the Tribunal\)](#)

¹¹ While not being a formal part of the official case file, a number of civil society organisations, the UN Special Rapporteurs on Human Rights and Climate Change, Toxics and Human Rights and Human Rights and the Environment, filed submissions to ITLOS. You can read ClientEarth's submission [here](#).



Securing and using new international protections

Saving the high seas



ClientEarth urges all the Parties to the [Agreement under the United Nations Convention on the Law of the Sea on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction \(BBNJ Agreement\)](#), who have yet to do so, to expedite ratification in time to meet the deadline.

The high seas¹² account for over two-thirds of the ocean, almost half of the world's surface area and over 90% of the liveable habitat on Earth.^{13,14} However, these 'international waters' lack the protection that can already be applied to countries' own territorial waters – with only 1% of the high seas currently designated as protected areas.¹⁵



In 2022, the Sustainable Seafood Coalition – at the time coordinated by ClientEarth – together with the Global Tuna Alliance and the Hong Kong Sustainable Seafood Coalition published a [joint position on Marine Biodiversity of areas Beyond National Jurisdiction](#). This collaboration represented more than 85 retailers and supply chain companies. They have collectively recognised the impacts of commercial fisheries as the largest direct driver of biodiversity decline in the high seas, and called for a robust global treaty.

After close to 20 years of negotiations, the BBNJ Agreement was adopted in June 2023 – a historical landmark – to protect the high seas but needs to be ratified by at least 60 Parties by 20 September 2025. However, only 30 Parties have done this so far, as of publication, among them the EU, Singapore, and South Korea¹⁶.

Ratification of the BBNJ Agreement would provide for procedures for the establishment and implementation of area-based management tools, including MPAs, in areas beyond national jurisdiction, including on an emergency basis in certain cases.

It would also elaborate on the provisions of [UNCLOS](#) on environmental impact assessments by establishing detailed processes, thresholds and other requirements for conducting and reporting assessments in areas beyond national jurisdiction. Parties will also be required to consider the impact of planned activity on the high seas, and not just in their territorial waters, and other States would be able to register any concerns they may have.

Post-ratification, Parties should swiftly adapt their domestic laws to cater for the implementation and enforcement of the agreement.

¹² National jurisdictions extend up to 200 nautical miles from the coast—the areas beyond this are known as the 'high seas.'

¹³ UN (2024), [Factsheet 1: Overview of the BBNJ Agreement](#). (accessed 27.05.25)

¹⁴ Marine Conservation Institute (2023), [Historic High Seas Treaty to Conserve Biodiversity](#). (accessed 27.05.25)

¹⁵ Marine Conservation Institute, [Marine Protection Atlas: High Seas](#). (accessed 27.05.25)

¹⁶ UN Treaty Collection, [Law of the Sea: Agreement under the United Nations Convention on the Law of the Sea on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National](#). (accessed 27.05.25)

Safeguarding the deep sea from mining



ClientEarth calls on all countries to abide by the Precautionary Principle and support a global moratorium on deep-sea mining.

The deep sea is the least explored biome on Earth but research constantly reveals an astonishing diversity of life thriving even in the extreme conditions of low temperature, darkness and high pressure. One study concluded that over 90% of the species observed within the Clarion Clipperton Zone, one of the first potential areas to be open to commercial deep-sea mining, are currently undescribed by science.¹⁷ The seabed is also a key part of the ocean's carbon sink system where the calcified bodies of organisms that have sequestered carbon during their lives sink and settle when they die. This 'blue carbon'¹⁸ can be thus stored for millennia and, at the same time, can also help reduce the release of methane – a potent greenhouse gas – from the ocean floor by acting as a protective layer.

The [International Union for Conservation of Nature](#) (IUCN), highlights that current research “increasingly indicates that [deep-sea mining] could severely harm affected marine biodiversity and ecosystems, threatening the human and planetary life support that these ocean ecosystem services and biodiversity provide.” It “also signals that the knowledge and means needed to proceed with deep-sea mining - without serious impact - are lacking.”

Whilst there is interest by some companies and States to mine the ocean floor for critical minerals, under international law – in particular, UNCLOS – deep-sea mining must not take place, and would be illegal, unless it can be proven that there is no significant harm to the marine environment.

In the meantime, States must also take into account the need to shift to a fully circular economy and to unlock the full potential of energy efficiency and sufficiency through investments and policies that reduce our production and consumption of final goods/services – thereby decreasing emissions – but also improve our health and wellbeing. Many of those pushing for deep-sea mining take a business-as-usual outlook when predicting our energy needs in the coming decades, and therefore when predicting our need for critical minerals and metals.

Reducing and preventing plastics pollution



ClientEarth asks States to ensure that they contribute positively towards achieving a robust, legally-binding global treaty on plastic pollution that addresses the full life cycle of plastics and drives the reduction of the global production of plastics.

According to the UN Environment Programme, “Plastics are the largest, most harmful and most persistent fraction of marine litter, accounting for at least 85 per cent of total marine waste.”¹⁹ Only 9% of global plastic waste is currently recycled²⁰ and the OECD says that without “radical action to curb demand, increase product lifespans and improve waste management and recyclability” global plastic pollution is on track to triple by 2060.²¹ At the same time, with 99% of plastic derived from fossil fuels, each stage of plastics' life cycle generates significant amounts of greenhouse gases. A 2024 study found that even if plastic production remains constant from 2025 onwards, primary plastic production could account for up to 19% of the remaining global carbon budget for limiting global warming to 1.5 degrees Celsius, and up to 31% under business as normal growth scenarios.²² Another 2024 study found that meeting global climate targets requires an immediate 50% reduction in demand for plastic.²³

17 Rabone, M., et al. (2023), [How many metazoan species live in the world's largest mineral exploration region?](#), Current Biology, Volume 33, Issue 12, 2383 - 2396.e5.

18 Carbon captured and stored by marine ecosystems.

19 UNEP (2021), [From pollution to solution: A global assessment of marine litter and plastic pollution](#), (accessed 27.05.25)

20 OECD (2022), [Global Plastics Outlook: Economic Drivers, Environmental Impacts and Policy Options](#).

21 OECD (2022), [Global Plastics Outlook: Policy Scenarios to 2060](#), press release.

22 Ibid.

23 Vidal, F., et al. (2024). [Designing a circular carbon and plastics economy for a sustainable future](#). Nature 626, 45–57.

In August of this year, government representatives from across the world will gather in Geneva to finalise [negotiations of the Global Plastics Treaty](#). This is a vital opportunity to put the world on a path towards ending plastic pollution if States agree to setting a legally-binding commitment to reduce global plastics production.

As part of our efforts to reduce and prevent plastics pollution, in the EU, ClientEarth has been holding companies to account over the unnecessary use of single-use plastic, challenging greenwashing claims by the biggest plastic polluters and halting the expansion of petrochemical production.

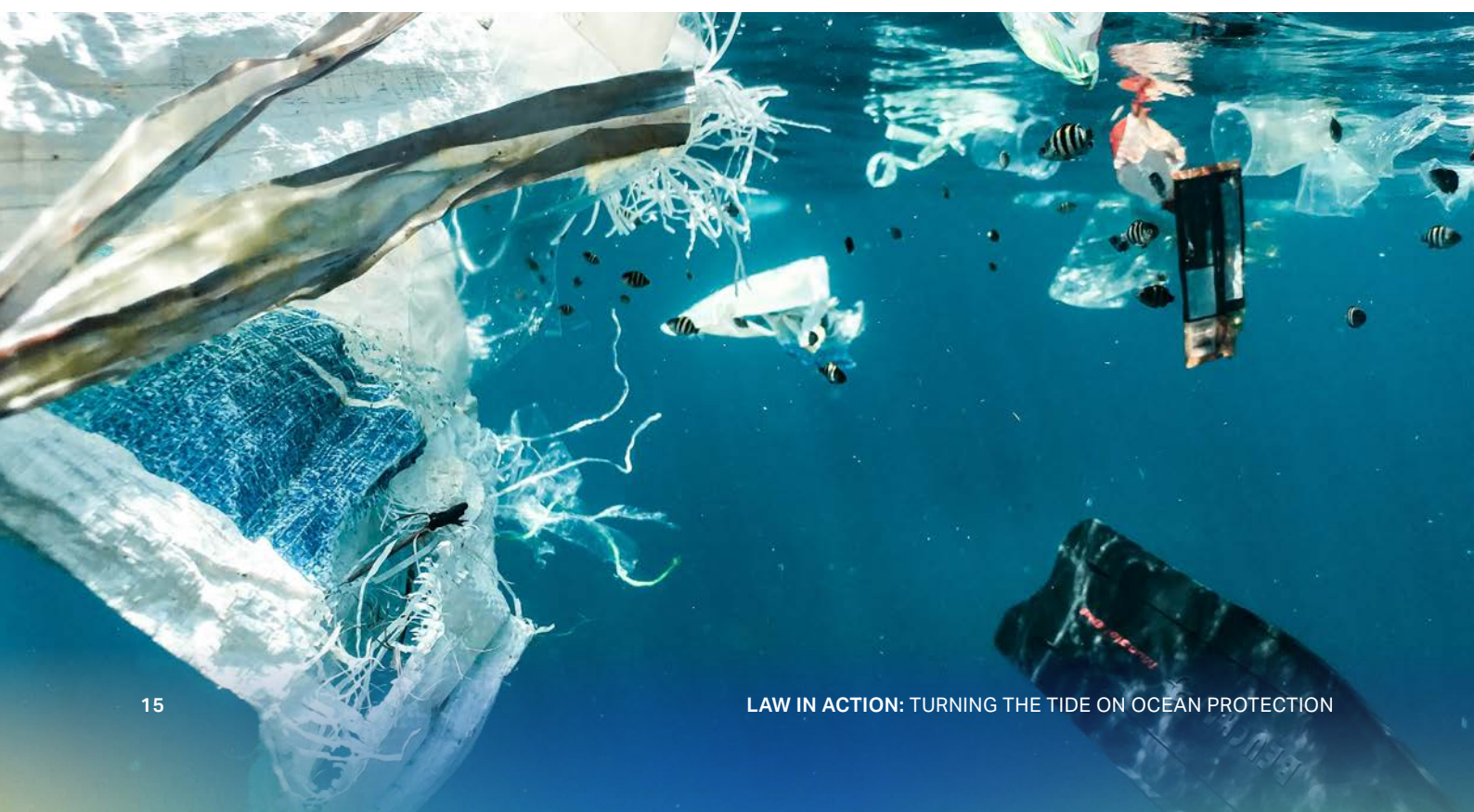


In 2023, we took Danone to court over failing to comply with the [French Duty of Vigilance Law](#)²⁴ with regards to its use of plastics. Earlier this year, [we reached an agreement with the multinational](#) that should result in it strengthening how it mitigates and prevents the risks associated with the use of plastic, including reuse solutions.

With consumer rights organisations – the Environmental Coalition on Standards (ECOS) and the Bureau Européen des Unions de Consommateurs (BEUC) – we are asking the European Commission and EU consumer protection regulators to enforce the [Unfair Commercial Practices Directive](#) against three food and drinks giants – Coca-Cola, Nestlé and Danone – over [misleading recycling claims](#) on plastic water bottles sold across Europe. In May 2025, [the EU Commission announced that Coca-Cola will change and remove some of its packaging recycling claims in the EU, in light of the complaint](#) – further developments are expected.

In Belgium, we have been [successfully challenging the proposed plant](#) that the petrochemical company INEOS wants to build in the Port of Antwerp. Flemish authorities have been failing to properly enforce the EU [Environmental Impact Assessment](#), [The Habitats](#) and [The Birds Directives](#) to ensure that the impacts of the proposed plant on people, nature – including local Natura 2000 sites – and the climate are fully considered.

24 See also Business & Human Rights Resource Centre, [France's Duty of Vigilance Law](#). (accessed 27.05.25)



Priority two: The transition to low-impact and sustainable fishing must be accelerated and supported

Setting truly sustainable fishing limits

ClientEarth calls on countries to adopt an ecosystem-based and precautionary approach in setting fishing limits and direct quota allocation towards small-scale, low-impact fisheries and away from parts of the fleet with a track record of illegality.

Overfishing not only threatens the future of many fish species, but also the whole ecosystem they live in. According to IPBES, fishing has had the largest relative impact – when compared to other major drivers of biodiversity loss – on marine ecosystems over the past 50 years.²⁵ Analysis by the UN Food and Agriculture Organization (FAO) shows that the fraction of fish populations within biologically sustainable levels decreased from 90% in 1974 to 62.3% in 2021.²⁶ Overexploitation has an impact on the rest of the food web, on biodiversity, and the ocean's ability to absorb carbon. Coastal communities that rely on fishing as a source of income are particularly impacted.

However, overfishing can and must be addressed. In the EU and the UK, for example, the [Common Fisheries Policy \(CFP\)](#) and the [UK Fisheries Act](#), respectively, provide for legal instruments to: preserve the long-term sustainability of fisheries and aquaculture; contribute to the protection of the marine environment and the availability of food supplies; and provide a fair standard of living for fishing and coastal communities. The CFP covers fishing in EU waters, as well as fishing by EU vessels across the world. Likewise, the UK Fisheries Act applies to UK waters and fishing by UK vessels elsewhere. However, the laws in both jurisdictions require substantially improved implementation and enforcement.

The cornerstone for sustainable fisheries management – restoring all harvested fish populations above biomass levels capable of producing the 'maximum sustainable yield' (MSY) by 2020 – has not been achieved. 'Total allowable catches' (TACs) – in other words, fishing limits – are still too often set above scientific advice, especially for depleted stocks caught primarily as bycatch in mixed fisheries. Current fisheries management also fails to adopt an ecosystem-based and precautionary approach critical for rebuilding fish populations, safeguarding biodiversity, and long-term ocean resilience. This is despite the fact that this is required by existing legal frameworks and regulations (e.g. the EU's CFP and [Marine Strategy Framework Directive \(MSFD\)](#), or the UK's Fisheries Act and [The Marine Strategy Regulations](#)).

Moreover, the way that shares of the agreed TACs are allocated to fishing vessels has enormous potential to promote environmental and socio-economic sustainability. Applying environmental and social criteria when allocating fishing opportunities can incentivise, for example: the use of selective fishing gear and low-impact fishing practices; reflect the contribution to local and small-scale fishing communities; and the implementation of fair labour practices. However, quota allocation in the EU and the UK is still mostly based on historical catches, despite legal provisions on both sides on incentivising selective fishing techniques with reduced environmental impact.

²⁵ IPBES (2019), [Global assessment report on biodiversity and ecosystem services of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services](#).

²⁶ FAO (2024), [The State of World Fisheries and Aquaculture 2024: Blue transformation in action](#).



[ClientEarth has been very active](#) over the past years to challenge unsustainable fishing decisions in the EU and UK, highlighting the ecological and economic benefits and imperative of ecosystem-based and recovery-focused TAC-setting, and promoting the huge potential of fully implementing the existing tools to support small-scale, low-impact fisheries.

In our legal challenge against the EU's missed 2020 MSY deadline under the CFP, [the Court of Justice of the European Union ruled, in 2024, that this deadline applies to all target stocks](#) – in other words, overfishing them beyond 2020 is illegal – though EU fisheries ministers have some discretion for bycatch stocks under certain conditions. In light of this ruling, ClientEarth has continued to advocate that decision-makers must prioritise the rapid recovery of depleted and struggling fish populations. [Another ruling in two parallel cases](#), which may provide further clarification on the role of the ecosystem-based and precautionary approaches, is expected in late June of this year.

We are working to align EU and UK decision-making with scientific advice, and call for sufficient precaution to be applied where the current single-stock advice is not yet fully recovery-focused, sufficiently precautionary and ecosystem-based. We do this by demonstrating the advantages of sustainable fishing, including a more resilient ocean and larger, more productive fish populations that can better deal with climate change impacts and support livelihoods into the future. In parallel, we continue to highlight shortcomings in the current advisory system that need to be addressed to inform truly ecosystem-based TACs going forward. [For over a decade, ClientEarth has been providing yearly recommendations on the TACs in the EU and UK.](#)

We are advocating for the full implementation of the CFP and engaging in its [evaluation process](#) – and as part of this set out a [CFP Implementation and Enforcement Action Plan](#) to showcase to EU decision-makers how it is possible to unleash the full potential of the law.

Redirecting subsidies



ClientEarth calls on members who are yet to formally accept the [World Trade Organization's \(WTO\) Agreement on Fisheries Subsidies](#) to do so urgently. Countries should also take the necessary steps to eliminate environmentally-destructive subsidies by 2030, and redirect taxpayers' money fully in line with the [Global Biodiversity Framework](#).

Funding needs to be redirected away from destructive, high-impact large-scale fisheries and, instead, enable a just transition towards small-scale, low-impact fisheries and the protection of our marine ecosystems.

Our ocean is reaching a number of worrying tipping points – further resources and investments to accelerate the transition towards low-impact practices are needed to ensure the restoration of a healthy ocean and future-proof the fisheries and aquaculture sectors. At the same time, the financing of harmful fishing and aquaculture practices and overfishing must stop.

At the global level, the [2030 Agenda for Sustainable Development](#) calls on countries, through [Sustainable Development Goal 14](#), to end overfishing, IUU fishing, and harmful subsidies. These commitments have been reinforced through the GBF, which requires the phase-out of biodiversity-harmful subsidies by 2030 and a progressive reduction of such incentives by at least \$500 billion per year by 2030 ([Target 18](#)).

The WTO Agreement on Fisheries Subsidies, adopted in June 2022 after more than two decades of negotiations, embedded these priorities. The Agreement prohibits subsidies linked to: IUU fishing; overfished stocks where there are no stock rebuilding measures; and fisheries in the 'unregulated' high seas (i.e. international waters where fishing is not yet managed by an intergovernmental organisation).

For the Agreement to enter into force, two-thirds of WTO members must formally accept the Protocol of the Agreement on Fisheries Subsidies by depositing an "instrument of acceptance" with the WTO. As of publication, [just ten more members are needed](#).

[In the EU, the 8th Environment Action Programme](#) also has a long-term commitment to phase out environmentally harmful subsidies.²⁷ However, for example, the [European Maritime and Aquaculture Fund \(EMFAF\)](#), which runs from 2021 to 2027 with a total budget of €7.8 billion, is limited in its ability to effectively support the long-term environmental, economic and social sustainability objectives of the CFP. And, in 2024, analysis by WWF showed that between 5% and 12% of EMFAF funding annually is channelled into biodiversity-harming subsidies, which is more than double the amount dedicated to restoring biodiversity.²⁸

The EMFAF also fails to prioritise funding for small-scale and low-impact fishers despite representing 76% of the total EU fleet and 53% of engaged crew,²⁹ which should make it indispensable when talking about competitiveness of the EU fishing industry and supporting coastal communities. Analysis by ClientEarth of the [previous European Maritime and Fisheries Fund \(EMFF\)](#), which ran from 2014 to 2021, found that the small-scale coastal fishing sector received only about 20% of this funding.



ClientEarth, together with blue NGO partners, is urging the European Commission to move away from the sectoral structure of the EMFAF and to embed a strong commitment to establishing a new EU Ocean Fund.³⁰ ClientEarth has asked the European Commission to include a bid for the EU Ocean Fund in the next [Multiannual Financial Framework \(MFF\)](#) proposal expected in July 2025. In line with the call for simplification and competitiveness of the new EU mandate, ClientEarth has asked that the new EU Ocean Fund should prioritise and enable better access and support for the transition of small-scale coastal fisheries.

ClientEarth contributed to the [mid-term evaluation of the EMFAF](#) and the [ex-post evaluation of the EMFF](#), highlighting the need to phase out harmful subsidies and redirect funding towards marine protection and sustainable fisheries.

ClientEarth has consistently advocated for a more forward-looking and environmentally focused use of the EMFAF and urged EU Member States to use their discretion to make bold choices that prioritise sustainability, fairness, and innovation. These recommendations remain relevant today, as Member States are still implementing the EMFAF through national operational programmes and the European Commission is working on the Regulation proposal on the next MFF.

27 See Article 3, paragraph h, [Decision \(EU\) 2022/591 of the European Parliament and of the Council of 6 April 2022 on a General Union Environment Action Programme to 2030](#).

28 WWF (2024), [Can your money do better? Redirecting harmful subsidies to foster nature & climate resilience](#).

29 European Commission, Scientific, Technical and Economic Committee for Fisheries (STECF) - [The 2024 Annual Economic Report on the EU Fishing Fleet](#)

30 See [Blue Manifesto, The Roadmap to a Healthy Ocean in 2030](#).





Tackling illegal, unreported and unregulated fishing



ClientEarth urges all countries to play their role in combating Illegal, unreported and unregulated (IUU) fishing, including by ramping up national measures to control seafood imports, improving monitoring and surveillance of national and international fleets, becoming a party to the FAO's Port State Measures Agreement and improving overall transparency of beneficial ownership structures of fisheries value chains.

IUU fishing is a huge international problem. It has been estimated that one in five fish caught is of IUU origin.³¹ This includes activities such as fishing without a licence, falsifying a fishing vessel's identity, fishing in closed areas, or misreporting catch data. IUU fishing activities deplete the ocean, negatively impact local economies and can undermine those who fish responsibly. They are also a significant risk to businesses, not least because of IUU fishing's inherent link to criminal activity.³² Legislation exists in various countries to tackle those who operate IUU activities, notably the [EU's IUU Regulation](#) or the [Seafood Import Monitoring Program in the USA](#).

In the EU, together with a coalition of NGOs, [ClientEarth has long advocated for a thorough revision](#) of the [EU fisheries control system](#), promoting the need for better monitoring, control and surveillance measures, improved resources for fisheries control authorities and stronger import control measures. The revised 2023 [EU Fisheries Control Regulation](#) is a step in the right direction – but it is crucial that this updated law is effectively implemented and enforced – enabling a level playing field between operators of fishing vessels.

In the meantime, ClientEarth has been holding governments to account over the lack of control of fleets operating in the EU's Exclusive Economic Zone, as well as internationally.

³¹ Agnew, D.J., et al. (2009), [Estimating the Worldwide Extent of Illegal Fishing](#). PLoS ONE 4 (2): e4570.

³² The Global Initiative Against Transnational Organized Crime (2015), [The Illegal Fishing and Organized Crime Nexus: Illegal Fishing as Transnational Organized Crime](#).



In 2020, ClientEarth took legal action with Low Impact Fishers of Europe (LIFE) against the Dutch Food Safety Authority (NVWA) for failing to properly monitor fish landings in its ports under the EU Fisheries Control Regulation. Whilst the court was not able to deliver a ruling in this instance, the [Dutch government admitted that fraud is likely across the whole fisheries sector](#). It should now, therefore, be impossible for The Netherlands not to act. Effective monitoring of these huge quantities of landed catches is essential to ensure the reliability of catch reports and thus enable the monitoring of the use of fishing quotas.

ClientEarth, with partner Oceana, has also recently launched a case concerning alleged IUU activity by Spanish operators (vessels or nationals) in the territorial waters of Senegal and Guinea Bissau, in West Africa. We have [asked the Spanish administrative court to order Spain to comply with EU rules](#) – including the Fisheries Control Regulation and the IUU Regulation – and bilateral fisheries agreements concerning operators (vessels or nationals) active in the waters of third countries. In particular, the obligations to: systematically monitor data from the automatic identification system for the purposes of fisheries cross-checking; and identify and punish Spanish nationals who are financially involved in illegal fishing activities anywhere in the world.

Indeed, one of the main problems is that IUU fishing activities are carried out by non-EU vessels that are nevertheless financially controlled by EU companies. And despite existing rules requiring EU Member States to prevent any involvement of their nationals in IUU fishing worldwide, Member States are not doing enough. Numerous reports (from the [European Commission](#), the [European Parliament](#) and the [European Court of Auditors](#)) continue to highlight shortcomings in the implementation of these control systems in the EU.

We therefore call for the EU rules on fisheries control, which are essential to prevent fish caught illegally from being sold on the market, to be fully and effectively implemented by all EU Member States. It is time for the EU to finally step up to its responsibilities and be a leader in the fight against IUU fishing worldwide.

Ensuring due diligence



ClientEarth calls on governments to foster the implementation of voluntary international standards on due diligence for responsible conduct – such as the [OECD Guidelines for Multinational Enterprises](#) and the [UN Guiding Principles on Business and Human Rights](#) – as well as adopt and enforce mandatory due diligence legal frameworks– like the [EU's Corporate Sustainability Due Diligence Directive \(CSDDD\)](#) and [Corporate Sustainability Reporting Directive \(CSRD\)](#).

Robust due diligence measures are essential for preserving ocean ecosystems and enabling a transition to responsible business practices across sectors. Sectors with significant impacts on the ocean include not only marine-based industries, like fisheries and aquaculture, but also land-based sectors, such as agriculture, transport, mining, tourism and infrastructure developments. These activities can contribute to marine degradation through pollution, pesticide runoff, chemicals and plastics waste discharge, as well as greenhouse gas emissions that drive ocean warming and acidification, and can also affect the human rights of workers in these sectors, and on people living in coastal areas.

Seafood supply chains are particularly exposed to environmental and human rights risks. IUU fishing, overexploitation, and labour abuses remain widespread, and can vary significantly depending on fishing methods, species, and regions. Yet, sustainability assessments like the [2023 Seafood Stewardship Index](#) reveal that many of the world's largest seafood companies fail to adequately address IUU fishing or conduct effective human rights due diligence.

Integrating biodiversity, climate and human rights considerations into corporate due diligence processes allows companies and investors to:

- Identify, assess and manage environmental and social impacts and risks across their value chains and portfolios;
- Mitigate and disclose these impacts and risks transparently; and
- Ensure traceability and accountability in sourcing practices.

These practices are not only aligned with international standards and existing legal obligations but also critical to managing financial and reputational risks. They safeguard long-term business viability and uphold companies' social license to operate.

ClientEarth has actively supported the development and implementation of due diligence standards in the seafood sector over the past decade. This includes advocating for [EU-wide mandatory frameworks](#), working with industry to strengthen sourcing policies, raising awareness on the [legal risks of companies' impacts and dependencies on biodiversity](#) and [Human Rights](#), and [promoting transparency and traceability](#).



Regional and country priorities



European Union

For over a decade, ClientEarth has been working on ocean protection in Europe: from tackling overfishing, illegal fishing, and making sure that MPAs are properly managed to enhancing the decarbonisation of EU's fishing fleet, tackling marine pollution and fighting destructive infrastructure and extraction projects.

But despite legal obligations, EU Member States have failed to meet targets, for example, to end overfishing and achieve 'Good Environmental Status' of their marine waters by 2020. With the European Commission announcing its first-of-its-kind [European Ocean Pact](#), promising a vision for a holistic approach to ocean-related policies, we expect 2025 to turn the tide on ocean protection.



Together with BirdLife Europe, Oceana, Seas At Risk, Surfrider Foundation Europe, and WWF – and supported by more than 140 civil society organisations and businesses – we have developed the [Blue Manifesto](#) to provide a roadmap to achieve a healthy ocean by 2030. It is a pragmatic, science-based plan to guide EU decision-makers, while also guaranteeing a just and socially fair transition.

ClientEarth will continue to make sure that this Blue Manifesto roadmap becomes a reality through legal actions, advocacy and partnerships, by focusing on the following priorities.

Strengthening the implementation and enforcement of ocean-related law and policies

The EU institutions and Member States must improve compliance with and enforcement of environmental rules at national, European and international levels. There is huge untapped potential from fully implementing and, where needed, enforcing existing legal frameworks and regulations. In particular, we want all Member States to fully and effectively implement the EU rules on nature protection and restoration, fisheries management and control, and on preventing fish caught illegally from being sold on the market.

The total costs (foregone benefits) of the non-implementation of EU environmental law are estimated to be €18 billion per year.³³ Furthermore, fully implementing fisheries law including the [EU's CFP](#) is key to delivering the region's transition to sustainable fisheries and achieving a healthy marine environment: from ending overfishing and rebuilding fish stocks by respecting scientific advice, the ecosystem-based approach and precautionary principle, and addressing bycatch through the landing obligation, to enabling a just transition and supporting small-scale, low-impact fisheries – the CFP provides the tools for these objectives if properly applied and enforced.

Strengthening policy coherence and legally-binding targets

Ensuring a coherent approach between all ocean-related laws and policies, and avoiding thinking in siloes, is needed to work towards the long-term resilience of a sustainable, low-impact blue economy.

³³ European Commission: Directorate-General for Environment, EMRC, Logika Group and RPA Europe, [Update of the costs of not implementing EU environmental law - Publications Office of the EU](#). (accessed 27.05.25)

The [MSFD](#) is already the EU's overarching tool to protect the region's marine waters and coasts, and to ensure the sustainable use of its resources. A review has the potential to strengthen it into a "European law of the sea":³⁴ establishing legally-binding targets and thresholds; introducing criteria for a non-deterioration principle; reinforcing cross-border cooperation; enforcing nature restoration and marine protection measures, as well as climate adaptation and resilience targets and measures; and ensuring strong enforcement provisions.

A revision of the MSFD should also: tighten the link with the [Marine Spatial Planning Directive \(MSPD\)](#) and the [Nature Restoration Law](#); and establish legally-binding targets and thresholds to achieve 'Good Environmental Status' of the seas, as well as the effective protection of at least 30% of EU seas – including 10% under strict protection.

Ensuring a just transition to a low impact blue economy through an Ocean Fund

ClientEarth calls for the elimination of environmentally destructive subsidies and the redirection of EU taxpayers' money toward achieving the objectives of the CFP, the Nature Restoration Law and the long-term commitment of the [8th Environment Action Programme](#) to phase out environmentally harmful subsidies.

As has already been discussed under '[redirecting subsidies](#)', the current [EMFAF](#) funding has shown its limitation in effectively supporting the objectives of EU fisheries and environmental law. Funding for the protection of the marine ecosystem should be increased. A crucial step to achieve this, is for the EU to move away from the sectoral EMFAF structure and, instead, establish a new EU Ocean Fund in the next MFF proposal as set out in the Blue Manifesto.

The Ocean Fund should remove environmentally harmful subsidies, such as the [fisheries fuel tax exemption](#) under the [Energy Taxation Directive](#), and ensure a fair distribution of support to low-impact practices. Funding should also be earmarked for the ocean in other related budget programmes and agencies, including the European Environment Agency and European Fisheries Control Agency, as well as for establishing a new EU Ocean and Seas Agency that streamlines and ensures open access to ocean data and knowledge collection

The Commission should further develop an action plan for a just transition to a sustainable blue economy that respects ecological limits (i.e. the carrying capacities of our seas), promotes low-impact and regenerative activities, ensures sustainable livelihoods, and supports social justice, health, and well-being for coastal communities.



Mediterranean

ClientEarth attaches great importance to the Mediterranean in our work on marine issues in and outside Europe.

As with our work in the EU, a key aim in the Mediterranean region is to achieve 30x30 – with a minimum of 10% designated as strictly protected – in a tangible way that contributes to the: restoration of marine ecosystems; stopping bottom trawling in Mediterranean MPAs; and adoption of effective measures to address bycatch of dolphins, birds, and other protected marine species in EU, Spain and the wider Mediterranean.

Since 2021, ClientEarth has been working with the [Med Sea Alliance](#) which brings together 19 NGOs to collaborate on innovative projects, data-driven research, and impactful advocacy initiatives aimed at protecting marine habitats, ending illegal fishing, and fostering sustainable practices. By joining forces, we are creating lasting change for a healthier Mediterranean for future generations.

³⁴ [Informal Meeting of EU Marine and Water Directors – Final conclusions](#), 13 and 14 June 2024, Ghent, Belgium.



Together with the Med Sea Alliance, we call the European Commission and EU Member States to ensure compliance and enforcement of laws that protect the Mediterranean and ask for a stronger level playing field on fisheries control rules at the regional level.

Enforcing protected areas

Governments are failing to enforce protections in the Mediterranean. Illegal and harmful activities persist. Only 9% of Mediterranean waters are designated as MPAs,³⁵ and most are just paper parks allowing destructive practices – like bottom trawling, and oil and gas exploration and extraction – to continue unchecked.

There is hope. In 2024, [Greece](#) and [Sweden](#) announced they will ban or strongly restrict bottom trawling in their MPAs. Now we need bold action from other countries to follow their lead. Together with partners, we are holding governments accountable for failing to protect their MPAs. We have [two active legal cases against the French and Italian governments](#), for allowing bottom trawling in the Mediterranean MPAs; [and against the Spanish government](#), for permitting it in both the Atlantic and Mediterranean.



[Our recent success in protecting Italy's Po Delta from harmful activity](#) – the proposed Teodorico gas platform – stands as a powerful example of how effective enforcement of the law can deliver real impact. The Po Delta – a UNESCO World Heritage site – is a rich mosaic of wetlands, lagoons, and coastal habitats that support hundreds of bird species, marine mammals, and numerous endangered species. Offshore, the marine Natura 2000 sites provide critical feeding and breeding grounds for dolphins and other marine life, serving as vital ecological corridors that connect coastal and marine biodiversity.

Our work to protect marine biodiversity and ecosystems in the Mediterranean from oil and gas exploration and extraction continues with a complaint to the European Commission over Greece's continued authorising of gas exploration in regions of high marine biodiversity – despite its commitments to ban bottom trawling in MPAs. We are urging action to ensure that Greece aligns its energy policies with its ocean protection obligations – and at the end of 2024 the [Commission said it will seek clarification from Greece](#). These inconsistencies highlight the need for continued scrutiny and accountability to ensure that protection commitments are upheld in practice.

Setting a Pact for all of the Mediterranean

The Mediterranean is a hotspot of accelerated climate change and loss of marine biodiversity. The new [European Ocean Pact](#), due to be published in early June 2025, should set the basis for ambitious climate mitigation and adaptation targets, as well as measures to halt biodiversity loss and restore the good status of Mediterranean marine ecosystems and stocks for sustainable fisheries.

In addition, the [Pact for the Mediterranean](#) is a strategic initiative by the European Union aimed at strengthening partnerships with countries across the Southern and Eastern Mediterranean. ClientEarth is advocating for the Pact to include the protection and restoration of Mediterranean ecosystems as a matter of significant common interest for all Mediterranean coastal states. International cooperation on marine conservation in the Mediterranean basin must be enhanced, involving non-European partners to achieve meaningful and lasting results.

It is essential to promote a culture of compliance in the Mediterranean, addressing IUU fishing, lack of transparency, and weak enforcement; this includes strengthening the General Fisheries Commission for the Mediterranean compliance committee and ensuring adequate EU funding and resources.

Scientific data collection and economic models need to be developed and improved to support the environmental and economic sustainability of small-scale fishers, while also assisting the industrial fleet in transitioning to sustainable, low-impact practices.

We must underline the importance of strengthening international cooperation in the Mediterranean basin on marine conservation. Achieving meaningful results will not be possible if we overlook the essential role of our non-European partners.

In addition, the [24th Meeting of the Contracting Parties to the Barcelona Convention \(COP 24\)](#), scheduled for December 2025 in Cairo, Egypt, represents a significant milestone in the Convention's history. The meeting is expected to deliver several key outcomes that are critical to strengthening environmental governance, enhancing regional cooperation, and safeguarding the long-term health of the Mediterranean's marine and coastal ecosystems.



China

ClientEarth is the only NGO in China to focus primarily on environmental rule of law, and was the first European NGO to be registered with the Ministry of Ecology and Environment in 2017. We work closely with Chinese authorities to take stronger action on climate and the environment by using the power of law.

Building on our long-standing legal cooperation in China, we are prioritising the legal and institutional foundations for marine conservation and ocean governance. This aligns with China's latest legislative developments, including the [revised Marine Protection Law](#), the [GBF](#), the [WTO Agreement on Fisheries Subsidies](#),³⁶ and the [FAO's Port State Measures Agreement](#).

Removing harmful subsidies

Importantly, China has abolished fossil-fuel subsidies for distant water fishing vessels since 2021.³⁷ This marks the official end to the fossil-fuel subsidy that had been in place for 15 years, and was part of a broader strategy to promote the sustainable development of China's distant-water fisheries and comply with global efforts to eliminate harmful fisheries subsidies. ClientEarth has made a small contribution to this important development. The fuel subsidies have been replaced by subsidies for fishery resource conservation, which includes compensating fishermen during the summer fishing moratorium and supporting responsible fishing. However, we have also noticed recent trends in some local provinces of issuing subsidies that are inconsistent with the WTO Agreement on Fisheries Subsidies, for example: for upgrading distant-water fishing vessels, and landing deep-sea-caught aquatic products. Phasing out such subsidies should be a priority.

Strengthening implementation and enforcement

A central focus of our work is to intensify collaboration with Chinese prosecutors and regulatory agencies to support the implementation of these international and domestic commitments. This includes stricter management of marine pollution and coastal habitat protection and restoration. For example, we supported a law enforcement campaign around the protection of coastal wildlife, and are also working on chemical discharges from aquaculture, as well as illegal dumping and plastic pollution.

Effective management of MPAs and Other Effective Area-based Conservation Measures (OECMs) needs to also be prioritised, particularly to help China contribute to 30x30 under the GBF.

³⁶ [China formally accepted the Agreement in June 2023](#) but the WTO still needs 12 more members to do this before it can come into force.

³⁷ The State Council Information Office of China (2023), [Developments of China's Distant-Water Fisheries](#).

In the fisheries sector, we aim to improve the management of both domestic and distant-water fleets, tackle IUU fishing, and advance the use of remote sensing technologies to detect illegal behaviour and vessel modifications. Stricter enforcement against the illegal trade of [CITES-listed marine species](#) is also a priority.

Supporting Legal and Policy Reforms

We continue to enhance cooperation with Chinese legislators and regulators to improve the national legal framework for marine conservation, including support to identify legal gaps in the establishment and management of MPAs and OECMs, to develop implementation rules for the revised Marine Protection Law and the ongoing [revision of the Fishery Law](#), and to strengthen the legal basis for subsidy reform in line with China's obligations under the WTO Agreement on Fisheries Subsidies.



United Kingdom

In the UK, the law requires that fisheries are sustainably managed in accordance with the objectives of the [Fisheries Act 2020](#), and the objective of achieving 'Good Environmental Status' under [The Marine Strategy Regulations 2010](#).

Strengthening the development of fishing limits

As part of our longstanding advocacy on sustainable fishing limits, we continue to call on the UK government to set a clear objective for its fisheries negotiations with the EU and other Coastal States to significantly improve the state of shared fish populations – a key element of a healthy ocean ecosystem that can support thriving, sustainable fisheries and coastal communities in the long-term.

We are also working towards exposing shortcomings, in the scientific advice used to underpin fishing limits, that must be addressed. This means setting precautionary fishing limits, which are fully recovery-focused and ecosystem-based, well below the best available scientific advice for maximum catches, in order to finally end overfishing and maximise long-term ecosystem health, productivity and resilience in the face of mounting pressures like climate change.

Tackling bottom trawling in MPAs

Bottom trawling in MPAs is also a serious problem in the UK – as it is in the EU – which needs to be phased out as soon as possible. This activity occurs in up to 90% of UK MPAs,³⁸ with just a handful of vessels

responsible for over a quarter of this damaging activity.³⁹ Improved legal protection of UK MPAs from bottom trawling will not only benefit marine life and contribute to climate resilience, but also provide long-term social and economic benefits to the UK public, including by contributing to the long-term recovery of seafood stocks for the benefit of small-scale fishers and consumers.

Increasing transparency

To help tackle illegal fishing, we are working with the Environmental Justice Foundation and Open Seas to encourage the UK government to endorse and implement the ten principles set out in the [Global Charter for Fisheries Transparency](#). These principles are designed to be implemented by States so that information about vessels and fishing activity is widely available – in order to support fisheries management regimes that ensure seafood is free from IUU fishing practices and human rights abuses.

³⁸ Oceana (2025), [The Trawled Truth: The Case for Banning Bottom Trawling in UK Marine Protected Areas](#).

³⁹ Oceana (2024), [Just 10 fishing vessels responsible for a quarter of harmful suspected bottom trawling in UK offshore protected areas](#) – press release.

As a major maritime nation and market state for seafood, UK leadership in endorsing and delivering on the Charter's principles would have a significant global impact. It would position the UK as a global champion of good ocean governance and inspire other states to initiate transparency reforms.

Enforcing climate action

A healthy ocean is a key ally in tackling climate change but deteriorated marine ecosystems are less resilient or able to act as carbon sinks – further aggravating the vicious circles of the climate crisis. [ITLOS has made clear that States have a clear obligation under UNCLOS to protect the ocean from climate change](#), including going beyond the [Paris Agreement](#).

ClientEarth, alongside Friends of the Earth and the Good Law Project, has now twice [successfully held the UK government to account](#) over breaches of the [UK Climate Change Act](#), in 2022 and 2024 – each time the court has ordered the government to revise its plan.

Our key concerns are that the plan so far fails to adequately address the very real risks that many of its key policies will not deliver the cuts needed – especially given its reliance on future and unproven technologies – and the government lacked sufficient information on the level of risk to approve the plans.

The government now has until 29 October 2025 to produce a revised and lawful plan.



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ClientEarth 

Law in action: turning the tide on ocean protection

JUNE 2025