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BACK TO THE SOURCE:

Saving Europe's Biodiversity Starts in the Ocean

All life on the planet came from the ocean, and all life on the planet depends on the ocean. Without a healthy and functioning ocean, life would be unbearable. We need to help it, to help ourselves.



These are turbulent times. One million species are at risk of extinction and the ecosystems supporting our lives are on the verge of breaking down¹; we are embroiled in the worst pandemic the world has experienced for 100 years; and climate change impacts are already biting with unprecedented heating, ice melting and climate refugees. EU seas are feeling the heat: Member States have failed to achieve 'good environmental status' for our seas and the combined impacts are on a path to cross complex planetary boundaries – triggering irreversible changes to the ecological conditions under which humanity has evolved and thrived².

President von der Leyen and many EU Heads of State or government joined the Leaders Pledge for Nature at the UN Summit on Biodiversity³, committing to reverse biodiversity loss by 2030. The European Commission's Biodiversity and Farm to Fork Strategies are a blueprint for delivering on that pledge. This document is a toolkit of ocean-related solutions that EU decision-makers, including the Commission, Member State ministers and MEPs, can use to translate those two strategies into tangible and binding action.

IMPLEMENT EXISTING LAWS AND RAISE THE BAR

The EU Biodiversity Strategy and its enabling legislation must support and build on the laws already in place. The Birds and Habitats Directives protect specific marine species and habitats by requiring the creation and management of Marine Protected Areas (MPAs) and the establishment of strict conservation measures for protected marine species. Under the Marine Strategy Framework Directive, Member States had a duty to ensure their seas are in "good environmental status" by 2020. The Common Fisheries Policy (CFP) aims to ensure sustainable fisheries management with a minimal impact on the marine environment following an ecosystem-based approach. The Deep-Sea Fisheries Regulation provides extra protection for vulnerable deep-sea marine ecosystems. The Aarhus Convention provides for EU citizens to participate in environmental decisions that affect them.

However, due to a lack of adequate implementation and enforcement, the conservation objectives set out in law have yet to be reached in any area: protecting marine nature, introducing sustainable fisheries management, and achieving healthy marine ecosystems.⁴ Enforcement action needs to be dramatically ramped up to ensure that all Member States are in full compliance with their environmental obligations.

ACTION 1 Dedicate more resources to ensuring sound implementation and enforcement of existing laws and objectives, including vigorously pursuing infringement action against non-compliant Member States.

ENACT AN EU ACTION PLAN TO PROTECT MARINE ECOSYSTEMS AND FISHERIES RESOURCES THAT MEETS CURRENT CHALLENGES

The ocean and our perception of it has changed since 2013, when the CFP was last reformed. Maximising fisheries yield can no longer be the core objective of EU fisheries management. **The objective must be to allow fish populations to be restored to, and maintained at, levels that allow them to fulfil their crucial role in marine ecosystems, and ensure that marine species and habitats are healthy and thriving.** This is the only way those ecosystems can continue to provide critical services such as oxygen production, climate regulation, carbon storage and (sea)food provision, on which human and planetary health depend. An EU action plan to protect marine ecosystems and fisheries resources must be holistic, enabling transparency, confidence and compliance. All these actions must be applied and enforced to an equal extent on the EU's distant water fleet, no matter where in the world they are operating.

1 - IPBES (2019): Summary for policymakers of the global assessment report on biodiversity and ecosystem services of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services. <https://ipbes.net/global-assessment>

2 - European Environment Agency (2019): Marine messages II: Navigating the course towards clean, healthy and productive seas through implementation of an ecosystem-based approach. EEA Report No 17/2019. <https://www.eea.europa.eu/publications/marine-messages-2/>

3 - Leaders Pledge for Nature <https://www.leaderspledgefornature.org/>

4 - European Environment Agency (2019): Marine messages II: Navigating the course towards clean, healthy and productive seas through implementation of an ecosystem-based approach. EEA Report No 17/2019. <https://www.eea.europa.eu/publications/marine-messages-2/>

ACTION 2 Develop an EU action plan to protect marine ecosystems and fisheries resources that supports productive, resilient fish populations by including:

- Precautionary buffers for climate change when setting fishing limits;
- Environmental impact assessments of fishing activities that include considerations such as impacts on the food web, on non-target and associated species, protected species, physical disturbance, and the ecosystem's capacity to mitigate or adapt to climate change;
- Increased measures to minimise non-target bycatch;
- A clear and transparent set of environmental and social criteria for allocation of fishing quotas to maximise benefits for the environment and coastal communities;
- A drastic improvement in the control of fishing activities, including a transition to mandatory remote electronic monitoring systems (REM) for all fleets.

ACTION 3 Ensure that the EU action plan to protect marine ecosystems and fisheries resources protects sensitive species by including:

- A focus on robust long-term monitoring of sensitive species;
- Adequate data collection of fisheries interactions;
- Application of measures to prevent and mitigate bycatch of sensitive species.

ACTION 4 Include actions in the EU action plan to protect marine ecosystems and fisheries resources to protect the habitats of marine biodiversity by tackling the most destructive fishing gear - bottom-trawling - including:

- A prohibition on bottom trawling in all EU marine protected areas;
- Spatial restrictions and closures on near-shore bottom trawling to protect sensitive habitats.

ACTION 5 Protect deep sea ecosystems by effectively implementing EU Deep Sea Regulation, and particularly:

- Delineating the bottom fisheries footprint in areas between 400 and 800 metres' depth;
- Closing areas, based on a precautionary approach, where Vulnerable Marine Ecosystems are known or likely to occur.

PROTECT AT LEAST ONE THIRD OF ALL MARINE AREAS, IN EU WATERS AND GLOBALLY

To support people, fight climate breakdown and save wildlife we need **a network of “fully and highly protected” ocean sanctuaries covering at least 30% of the oceans by 2030 (“30x30”)**. Just as crucial is a commitment to **manage all protected areas effectively**, defining clear conservation objectives and measures, and monitoring them appropriately.

ACTION 6 Reinforce the EU Biodiversity Strategy's “30x30” call by:

- Raising the ambition to at least 30% of EU oceans fully or highly protected, as recommended by science;
- Requiring that the most destructive human activities be immediately banned from all EU Marine Protected Areas, including harmful fishing activities, hydrocarbon exploration, etc;
- Advocating for a commitment of at least 30x30 in the UN Convention on Biological Diversity;

- Explicitly extending the 30x30 objective to the global ocean (Areas Beyond National Jurisdiction), and advocate for clear global procedures for identifying, establishing and effectively managing ecologically representative marine protected areas in ABNJ through a new Global Ocean Treaty, as a matter of urgency in 2021.

RESTORE THE OCEAN

The recovery of ocean ecosystems can be done through active management or passive natural recovery. **Restoring nature at sea creates long-lasting ecosystem services and can lead to significant employment generation** in sectors such as tourism, which is among those hit hardest by the COVID-19 crisis. Restoration and conservation efforts also help rebalance the interests of coastal areas, creating lasting assets while increasing the resilience of coastal areas against future challenges such as climate change.

ACTION 7 Make a plan to restore EU marine biodiversity, by:

- Setting a restoration target of at least 15% of EU seas;
- Focus on those ecosystems with the most potential to capture and store carbon, and to prevent and reduce the impact of natural disasters, in particular to restore seabed integrity.

REMOVE HARMFUL SUBSIDIES AND FUND NATURE

Harmful subsidies in the fishing sector lower capital or operating costs and incentivise the use of environmentally destructive fishing practices. For example, subsidies for vessel construction and modernisation or fuel-tax exemptions lead fishers to travel further and stay at sea longer than they would otherwise, even when it is not profitable, driving the depletion of fish populations and degradation of the environment. It is estimated that in 2018, the EU handed out over two billion dollars in capacity-enhancing subsidies.⁵ Yet there is a weak link between harmful fishing subsidies and improving the living standard of fishers,⁶ because a large share of money goes to suppliers and vessel owners instead of increasing the income of fishers.

ACTION 8 Establish coherence between EU commitments and its subsidies policies for the fishing sector, ensuring that:

- The new European and Maritime Fisheries Fund as well as the upcoming revised State Aid Guidelines require the elimination or redirection of subsidies harmful to biodiversity;
- The fuel tax exemption granted in the Energy Taxation Directive to the fishing sector is removed during the revision of this instrument.

TURN DOWN THE VOLUME UNDERWATER

Anthropogenic underwater noise is a critical pollutant negatively impacting global marine ecosystems. Determined action to improve the situation is still lacking. In EU waters, shipping constitutes a major human continuous noise source. Sudden ("impulsive") noise sources include explosions, seismic airguns, pile driving and military exercises using sonar. Whales, dolphins, porpoises, fish and other marine life are deeply affected by underwater noise pollution because they rely on sound for survival. **The EU needs to implement more urgent and stringent measures.**

ACTION 9 Implement strategies for reducing vessel noise in line with the International Maritime Organization (IMO) guidelines.

5 - Sumaila, U. Rashid, et al. "Updated estimates and analysis of global fisheries subsidies." *Marine Policy* 109 (2019): 103695

6 - OECD (2017). *Support to fisheries: Levels and impacts*. OECD Food, Agriculture and Fisheries Papers, No. 103, Paris: OECD Publishing. Retrieved from: <https://www.oecd.org/tad/fisheries/support-to-fisheries.pdf>

USE EU INFLUENCE TO PROTECT OCEAN BIODIVERSITY GLOBALLY

The EU has an impact on global marine biodiversity, including through trade policies and participation in multilateral bodies, commodity supply chains, and the EU distant-water fleet.

ACTION 10 Ensure the EU's international reach does not worsen destruction of ocean ecosystems by:

- Establishing clear environmental and social criteria, as well as liability rules for importers, processors and retailers to clean supply chains of fishing commodities in legislation, similar to the Timber Regulation;
- Assessing ocean biodiversity impacts as a mandatory part of a Sustainable Impact Assessment which must be done before negotiations on a trade deal start, in order to be taken into account in the negotiations in a comprehensive and systematic manner;
- Reviewing and updating Sustainable Fisheries Partnership Agreements for EU vessels fishing in distant waters so they do not contribute to overfishing or bycatch of sensitive species, and do not negatively impact the economic activities of local coastal communities and artisanal fleets;
- Ensuring the International Maritime Organisation bans the use of heavy fuel oil in Arctic waters;
- Working to achieve a moratorium on deep-sea mining, including at the International Seabed Authority, and ceasing funding for the development of deep-sea mining technology, consistent with the need to transition to a circular economy based on minimizing, reusing and recycling minerals and metals.

THE TIME FOR OCEAN ACTION IS NOW!

The Leaders Pledge For Nature, UN Sustainable Development Goals, Paris Agreement, European Green Deal - all set an intention to transform the way we do things in order to save life on the planet. But we need more than promises. Taking the 10 actions above will set us on the right path.

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