



23.1.2023

NOTICE TO MEMBERS

Subject: Petition No 0353/2022 by Linea Lauth (German) on the development of the world's oceans

1. Summary of petition

The petitioner – a young senior school student – takes the view that preserving the world's oceans and the biodiversity would be beneficial for society as a whole. This would require a sustainable solution that is not harmful to society, humans or the environment. The petitioner maintains that the European Parliament bears a significant responsibility towards EU citizens, and calls on it to make a commitment to the future of young people. The petitioner is delighted that the EU has undertaken to reduce net greenhouse gas emissions by at least 55% by 2030 compared with 1990 levels in the areas of the climate, energy, land use, transport and taxation. Nevertheless, the petitioner points out that the European Parliament has taken no direct action other than coming up with further objectives and proposals. The petitioner therefore requests that: - Member States agree on a joint treaty requiring a significant reduction in fishing, with the option of imposing sanctions for any failure to comply; - preferential treatment be given to alternative products that are more environmentally friendly (such as fish-like soya-based products); -the EU invest in research and development in the area of sustainable fishing, and also subsidise the first projects that are successful in moving towards sustainability; - a fish tax be introduced to curb demand for fish; - uniform EU labelling be introduced in the near future; -the EU protect certain marine areas; - more effort be made to make people aware of how important the seas are for the environment and for us.

2. Admissibility

Declared admissible on 8 July 2022. Information requested from Commission under Rule 227(6).

3. Commission reply, received on 23 January 2023

The Commission agrees with the petitioner that preserving the world's oceans and biodiversity is beneficial for the society as a whole and therefore has put in place a comprehensive set of legislation and policies¹. With regard to the specific calls made in the petition, the Commission would like to highlight the following:

Call to ensure that EU Member States agree on a common treaty requiring a significant reduction in fishing. There would be a risk of sanctions in case of non-compliance.

Based on Article 2(1) of the Treaty on the Functioning of the European Union (TFEU), the EU may have exclusive competence in a specific area, where only the EU may legislate and adopt legally binding acts, with Member States being able to do so themselves only if so empowered by the EU. One of these areas of exclusive competence of the EU is, by virtue of Article 3(1)(d) TFEU, the conservation of marine biological resources under the Common Fisheries Policy (CFP).

Consequently, the EU Member States are not empowered to adopt legal acts aiming at the conservation of marine biological resources and the management of fisheries and fleets exploiting such resources (with certain exceptions where they are empowered to do so, i.e. within 12 nautical miles of their baselines by virtue of Article 20 CFP²), as this area falls under the exclusive competence of the EU.

However, the EU, through the CFP, has adopted various legal and technical tools to ensure the sustainability of fish stocks in the long term and sustainable management of the fleets exploiting those stocks, and has put in place mechanisms, such as deduction of fishing opportunities, fishing effort restrictions, fishing capacity reductions and suspension or interruption of financial assistance, to ensure compliance of the Member States.

Call to favour more environmentally friendly alternative products (such as fish-like soyabased products).

The Commission agrees with the need to empower consumers to make sustainable food choices. This is why the Commission's Farm to Fork Strategy³ is a unique opportunity to incentivise consumption of products with better environmental performance. Several initiatives under the Farm to Fork strategy aim at supplying the EU market with sustainable products and making sustainability information more transparent for consumers.

The framework legislation for a sustainable food system will aim at setting out the common basis composed of general objectives, definitions, principles and requirements for ensuring that sustainability considerations, beyond the already applicable safety-based requirements, are taken into account when food is produced/placed on the Union market, taking into account EU international trade obligations. Amongst others, it is the intention that this new EU law

¹ See further information at: [Oceans and fisheries \(europa.eu\)](https://oceans-and-fisheries.europa.eu)

² Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC, OJ L 354, 28.12.2013, p. 22–61.

³ [Farm to Fork Strategy \(europa.eu\)](https://farm-to-fork-strategy.europa.eu)

comprises a framework for sustainability labelling and the necessary tools for setting minimum mandatory criteria for sustainable food procurement in schools and public institutions.

Call for the EU to invest in research and development of sustainable fishing and to subsidise the first successes towards sustainability

The EU is supporting research and innovation on sustainable fishing through its research framework programmes. For example, Horizon Europe Cluster 6 ‘Food, Bioeconomy, Natural Resources, Agriculture and Environment’⁴ provides research and innovation opportunities to enhance and balance environmental, social and economic goals and to set human economic activities on a path towards sustainability. The call area ‘Enabling Sustainable Fisheries and Aquaculture’ under part 9 of the Horizon Europe Work Programme 2021-2022 includes a number of research topics specific to fisheries, although other parts of the work programme are also relevant to fisheries including biodiversity, food, circular economy, zero pollution, climate action, environmental observation, coastal communities and ocean governance.

The European Maritime Fisheries and Aquaculture Fund (EMFAF) supports the implementation of actions enhancing the enabling conditions for the development of the sustainable blue economy and facilitating the investment in new markets, technologies and services. In particular, the EMFAF supports maritime governance to coordinate human activities at sea in a sustainable manner, the transfer and uptake of research, innovation and technology in private investment, the development of maritime skills, the dissemination of marine and maritime environmental and socio-economic data and the development of project pipelines to leverage private investment.

Call for introduction of a fish tax to dampen demand for fish.

Increasing tax on fishery and aquaculture products specifically (a ‘fish’ tax) with a view to make them less affordable might indeed partly lead to substitution effects towards either less expensive seafood or other sources of proteins, most likely of animal origin. The Commission does not share the view that these are desirable effects. Indeed, the production carbon footprint of fishery and aquaculture products is substantially lower than that of meat (in particular beef and sheep, but also pork and to a lesser extent poultry), which are already consumed in much larger quantities. Similarly, cheaper seafood are generally sold frozen or preserved and often imported from remote places of production, hence adding emissions from transport and logistics to those of their production. The level of demand for fish is not considered too high as such, but European consumers should be prompted to favour a wider variety of products, harvested closer to the place of consumption, which would lessen pressure on those few species that are the most consumed and decrease the environmental impact of the route to the market.

Call for EU uniform labels in the near future.

⁴ https://research-and-innovation.ec.europa.eu/funding/funding-opportunities/funding-programmes-and-open-calls/horizon-europe/cluster-6-food-bioeconomy-natural-resources-agriculture-and-environment_en

The Commission fully agrees that a harmonised approach for food sustainability labelling in the EU is needed. Hence, under the Farm to Fork Strategy, a regulatory framework for that purpose is planned to be proposed in 2023. The framework should cover the environmental, nutritional and social aspects of sustainability. It is expected that the sustainability of fish stocks is taken into account within the framework. The Commission believes that increasing transparency on sustainability is adding value in two ways: it helps consumers making the right choices for the environment and gives incentives to operators to improve their environmental performance.

Call for certain marine areas to be protected by the EU.

The EU has already put in place comprehensive policies and legislation to protect our marine environment. These include the obligations set up under the Marine Strategy Framework Directive (MSFD) as well as the Habitats and Birds Directives, as well as fisheries legislation under the Common Fisheries Policy (CFP) that aims amongst others at contributing to the environmental objectives.

It is EU Member States' responsibility to design the marine protected areas (MPAs) under the environment legislation, establish effective management measures according to the conservation objectives of the areas and on the basis of the best available scientific advice, and where necessary to take fisheries conservation measures under the CFP.

The EU Biodiversity Strategy for 2030 established the objective of protecting at least 30% of the land and 30% of the sea in the EU, including one third as strictly protected areas. This target concerns EU waters only and the Commission continues to work with Member States to ensure its implementation.

Call to contribute more to the education of the population through for example, campaigns that could make people aware of the importance of the seas for the environment and for people

The Commission has already in place policies and initiatives that lead to a better understanding, knowledge and sensibilisation of the society, and young people especially. The EU4Ocean coalition is now a well-established and functioning alliance of actors that promote ocean literacy, ocean advocacy and citizens engagement in relation to the ocean and its sustainability in various segments of the society, namely at organisations level (through the EU4Ocean platform of members), at youth level (through the Youth4Ocean Forum) and at school level (through the Network of European Blue Schools). They engage in actions that have an impact on the ground, through thematic work, campaigning, specific projects, events organised to promote ocean sustainability, educational efforts at school level based on ocean literacy principles, and general advocacy. In addition, the European Commission, runs also targeted campaigns, such as the global #EUBeachCleanup campaign, organised every year in partnership with the United Nations and the Smurfs.

Conclusion

The Commission considers that appropriate policies are in place or are being developed to achieve the key objectives mentioned in the petition, although sometimes through different means and instruments than those called for.