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**NOTE**

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From:	General Secretariat of the Council
To:	Delegations
No. prev. doc.:	13384/24 + COR 1
Subject:	Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 1026/2012 on certain measures for the purpose of the conservation of fish stocks in relation to countries allowing non sustainable fishing - Opinion of the European Economic and Social Committee

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Delegations will find attached the opinion of the European Economic and Social Committee on the above-mentioned proposal.

# OPINION

European Economic and Social Committee

## **Conservation of fish stocks in relation to countries allowing non-sustainable fishing**

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**Proposal for a Regulation of the European Parliament and of the Council amending Regulation  
(EU) No 1026/2012 on certain measures for the purpose of the conservation of fish stocks in relation to  
countries allowing non-sustainable fishing  
(COM(2024) 407 final – 2024/0224 (COD))**

**NAT/940**

**Rapporteur: Javier GARAT PÉREZ**

Advisor	Daniel VOCES DE ONAÍNDI (for the rapporteur)
Legislative procedure	<a href="#">2024/0224(COD)</a>
Referral	European Parliament, D/M/2024 Council of the European Union, 21/10/2024
Legal basis	Articles 43(2) and 207 of the Treaty on the Functioning of the European Union
European Commission documents	<a href="#">COM(2024) 407 final</a> <a href="#">Summary</a> of COM(2024) 407 final
Relevant Sustainable Development Goals (SDGs)	<a href="#">SDG 2 – 1 2 – 14 – 17</a>
Section responsible	Agriculture, Rural Development and the Environment
Adopted in section	16/12/2024
Adopted at plenary session	22/1/2025
Plenary session No	593
Outcome of vote (for/against/abstentions)	177/0/2

## 1. RECOMMENDATIONS

The European Economic and Social Committee (EESC):

- 1.1 firmly supports the European Commission's proposal to amend Regulation (EU) No 1026/2012 to strengthen the rules preventing non-sustainable fishing practices in non-EU countries. This endeavour is crucial to ensure the sustainability of shared fish stocks and to protect the European Union's fishing interests;
- 1.2 states that the scope of the revised Regulation should be extended beyond the management of stocks in the Northeast Atlantic and interactions with the northern coastal countries to cover Mediterranean waters and international areas as well. This will ensure that all non-sustainable practices, whatever their geographical location, are tackled effectively to protect all maritime ecosystems and fishing communities everywhere;
- 1.3 calls on the Council and the European Parliament to prioritise and speed up the process of adopting this proposal, which provides clearer conditions for identifying countries that allow non-sustainable fishing practices. This will not only increase transparency, but also ensure that non-EU countries fully understand the circumstances under which their actions could lead to EU penalties;
- 1.4 supports reinforcing the EU's tools to impose restrictive measures, including import bans, in a fair and non-discriminatory manner, in line with World Trade Organization (WTO) guidelines. These measures should be implemented globally, promoting responsible fishing practices in both European and international waters, in order to maintain equal treatment of all fleets;
- 1.5 calls on the EU to increase its commitment to fair competition, ensuring that third countries' actions do not unfairly harm European operators. Efforts to combat overfishing and ensure sustainable exploitation must be aligned and complement the measures taken under the Regulation combating illegal, unreported and unregulated (IUU) fishing. In this regard, the EESC calls on the European Commission to consider amending Article 1(1) of Regulation (EU) No 1026/2012<sup>1</sup> to make explicit reference to Regulation (EC) No 1005/2008 establishing a Community system to prevent, deter and eliminate IUU fishing. This amendment would ensure that measures adopted under Regulation (EU) No 1026/2012 take into account those already implemented under Regulation (EC) No 1005/2008, in accordance with Article 5(2) of the former;
- 1.6 in line with the United Nations Convention on the Law of the Sea (UNCLOS) and the Agreement for the Implementation of the Provisions of the UNCLOS relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (the 'Fish Stocks Agreement'), calls on the Commission to step up management and cooperation with all countries whose fleets exploit those stocks bilaterally or in the framework of regional fisheries management organisations (RFMOs);
- 1.7 stresses that the European Commission's proposal comes at a critical time, given that European fishing interests have been increasingly threatened by aggressive, unilateral actions by certain non-EU countries, such as Norway. The Committee recommends exploring strategic alliances with other

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<sup>1</sup> [Regulation \(EU\) No 1026/2012](#).

countries, such as Iceland, in order to strengthen the EU's position in the Northeast Atlantic and ensure that the European market has stable access to and a stable supply of seafood;

- 1.8 regrets that the European Union has not made greater use of the negotiation of the European Economic Area (EEA) Financial Mechanism for 2021-2028 to put pressure on neighbouring coastal states, such as Norway, to comply with international fisheries management standards. It is therefore essential to link fisheries management to access to the EU market and to implement enforcement measures as a matter of urgency to ensure compliance with these rules;
- 1.9 calls on the European Commission to use the mechanisms set out in the revised Regulation as a matter of urgency to remedy Norway's unfair, non-sustainable practices. The situation of mackerel and cod in the Northwest Atlantic is particularly serious;
- 1.10 calls for the negotiation process with coastal states to be more inclusive and transparent, ensuring the active participation of all stakeholders – especially the fisheries sector in question – in decision-making related to fisheries management and possible penalties;
- 1.11 suggests amending Article 6(1) of Regulation (EU) No 1026/2012 to require that, in addition to the European Parliament and the Council, the relevant advisory councils also be immediately informed when a country is notified that it may be identified as allowing non-sustainable fishing.

## 2. **EXPLANATORY NOTES**

### *Arguments in support of recommendation 1.1*

- 2.1 The objective of the proposal is to improve the clarity and legal certainty of the existing Regulation, in line with the EU's international obligations. This will ensure that non-EU countries are aware of the specific conditions under which their fishing practices could lead to EU penalties.
- 2.2 The fact that 70% of the fish and shellfish consumed in Europe come from non-EU countries makes it even more urgent to protect the EU market for non-sustainable fisheries products.

### *Arguments in support of recommendation 1.5*

- 2.3 The proposed amendment would align the measures adopted under the Regulation with existing measures to prevent, deter and eliminate IUU fishing by increasing consistency between EU fisheries policies.

### *Arguments in support of recommendation 1.6*

- 2.4 The EU must draft a comprehensive strategy that addresses all facets of its relations with Norway, explicitly linking access to the EU market to sustainable and equitable fisheries management. This strategy must include the establishment of a permanent working group involving DG MARE and DG TRADE to ensure consistency between trade and fisheries sustainability.

### *Arguments in support of recommendation 1.9*

- 2.5 The EESC welcomes the ‘High-Level Dialogue’ proposed by President Ursula von der Leyen to the Norwegian Prime Minister as a diplomatic effort to address the problems caused by Norway. However, this dialogue has only resulted in a partial agreement on recognition of the cod quota for the coming years. Meanwhile, Norway continues to ignore the EU’s historical fishing rights in the Northeast Atlantic for this species and other species such as mackerel. Therefore, while dialogue remains essential, the EU needs to take immediate coercive measures to resolve a situation that has already lasted for too many years.

### *Arguments in support of recommendation 1.11*

- 2.6 The proposed amendment would promote inclusiveness and transparency, ensuring that stakeholders, in particular those directly affected, have a say in decision-making processes.

## **3. PROPOSED AMENDMENTS TO THE LEGISLATIVE PROPOSAL OF THE EUROPEAN COMMISSION**

### **Amendment 1**

linked to recommendation 1.3

<b>Text proposed by the European Commission</b>	<b>EESC amendment</b>
in Article 3(b), point (i) is replaced by the following: “(i) it fails to adopt or implement necessary fishery management measures, including control measures in order to ensure the effective conservation and management of stocks of common interest; or”	in Article 3(b), point (i) is replaced by the following: “(i) it fails to adopt or implement necessary fishery management measures, including control <b>and enforcement</b> measures in order to ensure the effective conservation and management of stocks of common interest; or”

<b>Reason</b>
A proper management system is essential, but it is also important that the third country and its fleets apply and enforce the rules.

## Amendment 2

linked to recommendation 1.7

Text proposed by the European Commission	EESC amendment
in Article 2, the following point (i) is added:  (i) ‘failure to cooperate’ means the failure to engage in good faith and have meaningful consultations, in which substantial effort is made, with a view to reaching an agreement on the adoption of necessary fishery management measures; examples of failure to cooperate include, but are not limited to: [...]	in Article 2, the following point (i) is added:  (i) ‘failure to cooperate’ means the failure to engage in good faith and have meaningful consultations, in which substantial effort is made, with a view to reaching an agreement on the adoption of necessary fishery management measures; examples of failure to cooperate include, but are not limited to: [...] <i>(11) imposing discriminatory measures affecting the fleets of third countries while providing a partial or full derogation from applying these measures for the fleets of that country.”.</i>

### Reason

Norway has applied technical measures, such as limiting the incidental catch of haddock, which disproportionately affect EU fleets, while granting more lenient concessions to its national vessels. Another example of discriminatory practices is Norway’s ban on the use of collecting bags in the Barents Sea and in international waters (regulation applying to EU vessels), while allowing them to be used in its own national waters.

Brussels, 22 January 2025.

*The president of the European Economic and Social Committee*

Oliver RÖPKE

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