Submission to the European Commission's Call for Evidence on the European Ocean Act

Europe's regional seas have failed to achieve Good Environmental Status (GES), the central goal in the Marine Strategy Framework Directive (MSFD). Through the Common Fisheries Policy, all fish stocks were to be fished at sustainable levels by 2020 which has also not been achieved. Fragmented governance, insufficient funding, short sighted economic priorities and a lack of implementation and political will, have caused these results. Currently, management of the marine environment is split across different sectors, frameworks and policies which results in inefficiency. The Ocean Act must ensure that all ocean related targets are coherent, legally binding, time bound and ambitious enough to bring EU seas to GES and ensure we have environmentally sustainable marine spatial planning.

The Act should be adopted as a Regulation so that there are legally binding targets across the EU including at least 30% of EU seas designated as Marine Protected Areas (MPA) with 10% strictly protected by 2030 as outlined in the EU Biodiversity strategy. Current national implementation of Directives has clearly been insufficient and marine biodiversity as well as industries, such as fishing, have faced the consequences. MPA designation under the Birds and Habitats Directives is low and when an area is designated, the vast majority are not effectively managed. Best practice MPAs should be created using a cocreation and comanagement approach including small scale fishing communities. Financial support and resources to achieve this across the EU should be included in the Act and it should be a top priority for the Commission to ensure the effective implementation of all MPAs. There must be legally binding timelines for the phase out of destructive practices and harmful subsidies which benefit a select few and destroy the environment. Funding currently subsidising harmful activities should be redirected to support low impact and regenerative practices. The Act should also create clearer binding mechanisms to ensure full implementation of Article 17 of the CFP and a fairer quota share amongst small scale, lower impact fishing communities.

The Marine Spatial Planning Directive must be underpinned by the objectives of the MSFD. There must be coherence between these laws as well as other ocean policies. The demand for use in the marine space is increasing and will continue to do so. Environmental protection must be the underpinning goal in every decision made around planning. Last year the Ocean Pact stated that 'oceans and seas are crucial for life on earth'. Without ensuring that the health of the marine environment is the top priority, every other benefit the ocean can provide for society will be lost. Ecosystems based

management and planning must be enforced, taking into account nature based solutions. The precautionary principle must be adhered to across policies and industry including offshore renewable energy developments.

There must be increased transparency across Member States and industry compliance with environmental objectives should be monitored and enforced. Member States that are failing to hit their environmental targets should have sufficient penalties. It was found that Ireland is systematically failing to reach its objectives under the Habitats Directive by the EU Court of Justice. Since this result, nothing has changed. Ireland received no significant penalty and business as usual has continued. There needs to be incentives for a Member State to ensure they are reaching their environmental obligations. Since they have consistently failed to meet them for decades, funding to states should be conditional to their adherence to environmental and social measures. There must also be sufficient funding provided to ensure the Act can be properly implemented, monitored and enforced through the Multiannual Financial Framework. A non deterioration principle should be mandated to ensure once GES is met, it is not degraded by future harmful practices.