



Liberal Democrat

European Group

The Common Fisheries Policy

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Historical background

The Common Fisheries Policy was finally established in 1983 as a framework for managing what had become, with the advent of the common market, a common resource. It consists of a set of rules on conservation (including quotas), access to resources, fleet policy, market organisation and international fisheries agreements.

Principles

The CFP must adhere to international law - particularly the United Nations Convention on the Law of the Seas (UNCLOS) which establishes a 200 mile territorial limit around each contracting party to the agreement, which includes the European Union. All parties subject to the Convention commit themselves to undertake sustainable fisheries that take into account the needs of the marine environment. As a result, the EU is responsible for ensuring a sustainable fishery within the EU's 200 mile limit although the first 12 nautical miles from the coast is the sovereign responsibility of that particular member state.

Reform of the Common Fisheries Policy

It was recognised in the late 1990s that the CFP was in urgent need of severe overhaul. Following the publication of a Green Paper in 2001, the Commission finally made proposals for reform at the end of May 2002. These regulations were adopted at a meeting of the Council of Fisheries ministers in December 2002.

Access to Resources

- The principle of equal access for all EU vessels to all EU waters was established but this is **subject to holding a quota in particular waters**. The allocation of quotas is still subject to the principle of relative stability whereby total allowable catches for any particular fishing area are distributed according to a fleet's history of fishing in that area.
- The 6-12 mile inshore fisheries limit as mentioned above was maintained.
- Various other protected areas such as the Shetland Box and the Irish Box were also maintained for conservation reasons but subject to review.

Conservation

- The reform allowed for the adoption of multi-annual recovery plans for stocks "outside safe biological limits" and of multi-annual management plans for other stocks. These plans will include multi-annual catch targets and, in the case of recovery plans, effort limitations adapted to these targets, when necessary to achieve the plan's objective. The aim is to move away from the annual horse trading over quotas so that fishermen can operate in a more stable, long term environment.
- Furthermore, the possibility of emergency measures being taken by either the Commission (for a period of 6 months) or Member States (for a period of 3 months) is foreseen.

Structural Policy

- The Financial Instrument for Fisheries Guidance is the structural fund relating to fisheries. Most importantly, the reform amended the provisions relating to the provision of funding for the purpose of fleet renewal and modernisation and sought to promote further the scrapping of boats. Aid under this instrument must be co-financed by national governments.
- After 31 December 2004, money will no longer be available for the purchase of new vessels and, even prior to that, the provision will be conditional on removing from the existing fleet a level of fisheries capacity equal to, for large boats, at least 135% of the proposed capacity of the new vessel(s). For smaller vessels, at least 100% will have to be withdrawn. In this way it is hoped that vessel renewal will not lead to an increase in capacity.
- Aid for modernisation of fishing vessels will only be available for vessels that are at least 5 years old to improve safety, product quality or working conditions, switch to more selective fishing techniques or to equip vessels with the VMS (Vessel Monitoring Systems).
- As part of the reform package, an increased amount of aid was made available for the permanent "scrapping" of vessels.
- Aid is also available for the temporary cessation of fishing and for re-training purposes.

Stakeholder Involvement

- A provision was made for the establishment of Regional Advisory Councils in order to improve participation of fishermen and other stakeholders in the CFP. They will be made up by fishermen, scientists and representatives of other interests such as the fisheries and aquaculture sector and environmental and consumer groups who have an interest in the sea area or fishing zone concerned. There will be no obligation upon either the Commission or the member states to consult the RACs.

Control and Enforcement

- The Commission would like to improve the enforcement of rules governing fisheries. To this end closer co-operation between member states is needed, a joint community inspection structure is to be considered, as are harmonised minimum sanctions

International Fisheries Agreements

- The Commission has proposed fisheries partnership agreements rather than fisheries access agreements, with the aim of improved integration of environmental and development aspects into these agreements - of which there are around 20.

Integration of environmental protection requirements into the CFP

- Management action to meet the above is to be given the highest priority, which will include plans to improve fishing methods to reduce discards, unused bycatch, adverse impact on habitats.
- New legislation will protect sharks from finning; and the Commission has proposed measures to help protect cetaceans (dolphins, porpoise and other marine life) by the use of pingers on nets, to carry observers onboard fishing vessels and to phase out the use of driftnets in the Baltic Sea by 2007 (their use has been banned in the Atlantic since 2002).
- Fishing must be reduced to a sustainable level to allow for the regeneration of all fishstocks.

Discards

- The FAO has estimated the volume of fish discards within commercial fisheries at between 17.9 and 39.5 million tonnes worldwide, which far exceeds the EU's total fisheries production (catches and aquaculture) of 7.8 million tonnes.
- Reducing discards is a key element in the Commissions drive to "make the best use of harvested resources and avoid waste."
- Pilot projects will begin in 2003 to investigate

from fishing grounds, real-time closures, by-catch quotas, effort management and making better use of low-value fish. The Commission has been called on by the Council and Parliament to investigate further innovative management measures such as economic and financial incentives directed at the reduction of discards.

- Measures to improve sustainability include "Discard ban trials"; economic incentives shall be offered to a select proportion of the fleet to encourage retention of an entire catch.
- Fishing practices that result in discarding will be investigated and studied to find ways to limit the practice.
- The Commission has been called on to seek ways to reduce TAC or quota-related discards, for example by introducing by-catch quotas, flexible quotas, revision of quota allocation procedures, multiple species TACs. And potential uses for discards will be investigated, as also the conservational consequences for the specific species concerned.

Conclusion

- The Common Fisheries Policy (CFP) covers policy in the area of conservation and responsible fishing, restructuring of the fishing industry, aquaculture, common organisation of the market, enforcement of the law, and even fishing beyond community waters. Since January 1st 2003 the European Union has had a new fisheries policy. It is now realised that the waters of the EU have been staggeringly over fished, particularly since the inception of the CFP, and that some past policy initiatives, such as subsidies for the building of boats (even as stocks were being depleted), leading to fleet overcapacity, have been partially to blame for this. The reform seeks to achieve biologically, environmentally and economically sustainable fisheries, by addressing each of the policy areas individually, and addressing the main threats to the fisheries sector: economic fragility, poor financial profitability and steadily declining employment. Because, however, of the rebate system, the UK does not take full advantage of the EU monies available to address the problems.