

The EU Common Fisheries Policy

Table of Contents

Key issues in relation to the EU Common Fisheries Policy 2

Recent developments in the EU Common Fisheries Policy 3

1. Changes to regulations 3

1.1 Fisheries Partnership Agreements 3

1.2 The IUU regulations and the Control regulation 3

1.3 The European Fisheries Fund 3

1.4 The improvement of scientific and technical advice 4

2. The 2012 reform of the CFP 4

2.1 The degree of over-exploitation of EU fish stocks 5

2.2 The impact of EU demand for fish 5

Sources 6

For 2008 and earlier years developments, please see the 2008 version of the Executive brief

http://agritrade.cta.int/en/Fisheries/EU-common-fisheries-policy/Executive-brief/EU-Common-Fisheries-Policy-Executive-brief/EU_Common_fisheries_policy_2008



Key issues in relation to the EU Common Fisheries Policy

The EU is a major world fishing power. For about 30 years, the national fisheries of EU member states within community waters have been governed by the CFP, as have many aspects of their distant-water activities. The appropriate level for analysing distant-water fishing by the EU is therefore at the Community level, rather than at the individual member-state level.

The CFP is composed of measures agreed by EU member states, and is constructed on four main policy pillars:

- Conservation policy – to protect fish resources by regulating the amount of fish taken from the sea, by allowing young fish to grow and reproduce, and by ensuring that conservation measures are respected;
- Structural policy – to help the fishing and aquaculture industries adapt their equipment and organisations to the constraints imposed by scarce resources and the market;
- Market policy – to maintain a common organisation of the market in fish products and to match supply and demand for the benefit of both producers and consumers;
- International policy – to set up fisheries agreements and to negotiate at the international level within regional and international fisheries organisations for common conservation measures in high-seas fisheries.

Many EU member states have long traditions as distant-water fishing nations, most notably Spain, Portugal, UK, France, Poland, the Baltic states, and more recently the Netherlands. Currently, EU fishing fleets are active throughout all of the FAO regions of the Atlantic Ocean as well as the western and southern parts of the Indian Ocean, and increasingly in the Pacific region. The policy and programmes that the EU adopts with respect to its fishing fleet is thus of importance, not only for the domestic industry, but also for fisheries in many other areas of the world, including the ACP countries.

For about 30 years, the common fisheries policy (CFP) has dealt with the EU's policies on fisheries, both within its own waters and externally (international and third-country waters), including ACP waters. The internal problems of EU fisheries and policies arising, such as over-exploitation of fish resources and the EU fish market's increasing reliance on fish coming from outside, have important consequences for the development of ACP fisheries. This is particularly so in the areas of resource management, food security, and the development of value-added activities. The CFP is reviewed, and necessary reforms are undertaken, every ten years.

During the last reform of the CFP in 2002, new sets of regulations were adopted to enable conservation and sustainable exploitation of fisheries resources, some of which of particular relevance to ACP countries, in particular:

- the Council conclusions on an integrated framework for partnership agreements with third countries;
- the EU regulation to combat illegal, unreported, unregulated (IUU) fishing and the control regulations;
- the European Fisheries Fund;
- the EU regulation on the improvement of the scientific advice.

In July 2009, the EC launched a public consultation for the next reform of the CFP, planned for 2012

Two issues are of particular relevance to ACP countries in the context of the reform of the CFP: the over-exploitation of fish stocks and the increasing fish-supply deficit on the EU market.

Recent developments in the EU Common Fisheries Policy

1. Changes to regulations

Some regulations of the current CFP have particular relevance for ACP countries, including those concerning:

- FPAs;
- IUU fishing;
- the new control regulation;
- the EFF;
- data collection.

1.1 Fisheries Partnership Agreements

Some 500 EU fishing vessels (20% of the EU fleet) now fish under the various bilateral fisheries agreements (currently there are 15 in place) with ACP countries. In 2004, the EU adopted a new approach and now concludes FPAs that supposedly contribute to responsible fishing in the mutual interest of the parties concerned. These are the subject of the CTA executive brief on EU-ACP fisheries relations; FPAs.

1.2 The IUU regulations and the Control regulation

The new EU regulation to combat 'illegal, unreported and unregulated' (IUU) fishing was adopted at the end of 2008 and entered into force on 1 January 2010. The system will apply to both EU and non-EU fishing vessels. Of particular importance for ACP countries is the catch-certification scheme, which will guarantee the legal origin of the fish. Strong emphasis is put on check, inspection and verification activities to be carried out according to common criteria governed by risk management and assessment, allowing better targeting of the trade flows to be controlled.

It is important to note that the EU proposes to provide assistance for developing countries to control unlawful fishing, so as to help them to comply in full with the undertakings they will make under the FAO international plan of action (IPOA) to prevent IUU fishing. For the ACP, these undertakings may be implemented with the means provided by the FPAs, or through specific projects to establish monitoring, control and surveillance (MCS) programmes.

In October 2009, the EU also adopted a new regulation dealing with fisheries controls in the EU. Control and inspection will be focused where it is most effective through an approach based on systematic risk analysis. Inspection procedures will be standardised and harmonised for all stages in the market chain, including transport and marketing. This new control regulation is meant to complement the IUU fishing regulation and the Council Regulation on fishing authorisations for vessels fishing outside EU waters, including through FPAs. Together these three regulations will form the pillars of the EU control system. The adoption of the EU control regulation, in particular its article on traceability (art 50) will help to set up a level playing field between imported fish products -where traceability will be ensured through the implementation of the IUU regulation, also starting on 1 January 2010 - and EU products.

1.3 The European Fisheries Fund

In June 2006, the EU Council adopted the European Fisheries Fund (EFF), to provide the necessary financial assistance to implement the proposed CFP reforms and to support the development and restructuring of the EU fisheries sector. The Spanish sector is the main beneficiary from the fund, with €1.005 million for the period 2007-2013 from the EFF, 26% of the total. The EFF provides for five priorities:

- to adjust the EU's fishing fleet to the available resources;
- to promote the acquisition and use of gear and methods that reduce the impact of fishing on the environment;
- collective action;
- sustainable development of coastal fishing areas;
- technical assistance.

In response to the fuel crisis affecting the EU catching sector, the regulation provides aid for engine replacement on grounds of safety and fuel efficiency. High fuel costs have a significant bearing on the economic viability of the European fleet, and its ability to operate in distant waters. At the same time, differences in fuel costs and the availability of subsidies to install more fuel-efficient engines in the EU may increase the competitive advantages already enjoyed by the EU fleet in ACP waters.

Initiatives for energy saving in the fisheries sector can also be supported. A 2009 EC study shows that some segments of the EU fleets remained profitable even with high fuel prices. This applies particularly to passive gears for boats of less than 12 metres and the (large) pelagic trawlers.

1.4 The improvement of scientific and technical advice

The EU adopted a regulation in 2008 establishing a framework for the collection, management and use of data in the fisheries sector and support for scientific advice regarding the CFP. The new framework introduces provisions to meet the move towards fisheries- or fleet-based management as opposed to managing fish stocks and the shift towards an ecosystem-based approach.

The new data-collection system covers the entire process, from the collection of data in ports or at sea, to its use by the end-users (the scientific community and advisory bodies). The new framework also places more emphasis on social and economic data so as to provide a basis for impact assessment of new legislation and to allow monitoring of the performance of the European fleet. This new regulation also applies to EU vessels fishing outside EU waters, including in ACP exclusive economic zones. This could help to reduce the substantial under-reporting of catches, particularly for tuna, observed for some segments of the EU tuna fleet fishing in the east Atlantic and Indian oceans.

2. The 2012 reform of the CFP

In July 2009, the EC launched a public consultation for the next reform of the Common Fisheries Policy, planned for 2012, and published a 'green paper' highlighting issues to be addressed in the reform. From the EC point of view, some objectives are key to the reform of the CFP:

- to make ecological sustainability a priority;
- to move towards a situation in which decisions can be taken at a level much closer to the people they most immediately affect;
- to involve the industry more intimately;
- to secure robust scientific knowledge and data to feed into the decisions taken.

These issues are discussed in the green paper, as well as other issues, including on compliance, possible alternative systems for allocating fishing rights, and subsidies. The EC proposes a progressive ban on subsidies and insist that subsidies must be used to adapt to the crisis context or to finance innovative actions, but should not be used to reinforce over-capacity.

2.1 The degree of over-exploitation of EU fish stocks

An issue of particular relevance to ACP countries in the context of the reform of the CFP is the over-exploitation of EU fish stocks. In 2008, the EC highlighted the fact that 88% of fish stocks in EU waters are over-fished, compared with 25% on average globally. This situation of over-exploitation has come about for technical as well as political reasons. For example, the promotion of more-selective fishing techniques, including for fleets fishing outside EU waters, has not been implemented yet.

This has implications for the sustainable exploitation of ACP fish stocks, particularly in places like the Gulf of Guinea, where by-catch contains a high level of juveniles. There are also implications for the value of the catches being made by the EU in ACP waters, since some of the by-catch species are in fact high-value commercial species sold in the market.

The CFP has also encouraged overcapacity. The current EU fleet is much too large for the resources available in community waters. Technological advances in vessel and gear design, in fish finding and navigational equipment, and in telecommunications, all contribute to increasing the EU fleet capacity. This is of particular relevance for ACP coastal countries where EU boats are operating under fisheries agreements. Over the years, whilst the declared EU capacity may have remained constant, in reality fishing effort has actually increased due to technological factors.

More resources are being fished than planned (sometimes leading to or aggravating over-fishing), and the financial compensation does not reflect the real value of the fish being caught. This has serious implications for the management of the resources in ACP countries, by causing over-fishing and increasing competition with the local fleets. By using inappropriate measurements of capacity, ACP negotiators may be systematically underestimating the catch and impact of the EU fleets in the agreements that are signed.

2.2 The impact of EU demand for fish

Another issue of relevance to ACP countries that is also at the root of 'the failure of the CFP' is the increasing supply deficit on the EU fish market. EU reliance on imports for all fishery products was estimated to be about 70% for 2009, and for some categories like white fish it has reached 90%. It is also important for the ACP to note that fish caught in EU waters are mainly destined for the fresh-fish market, whilst imports mainly comprise fish as raw material for the processing industry. This has significance for any strategy for marketing value-added processed fish in the EU.

In order to be competitive, the EU processing industry needs to import fish at competitive prices, where the granting of tariff reductions plays an important role. The EU has concluded a number of agreements with, or granted tariff preferences to, several third countries. The trend, for the short-to-medium term, will be for the present system of tariffs to be reduced or eliminated altogether, this being a central objective of the WTO. In parallel, all the other requirements applicable to imports, e.g. concerning rules of origin, health-and-hygiene standards, and traceability requirements are becoming increasingly difficult to comply with.

In conclusion, the internal problems of EU fisheries and arising policies have important consequences for the development of ACP fisheries. This is particularly so in the areas of resource management, food security, and the development of value-added activities. There is therefore a need for a careful analysis of the evolution of the EU's fisheries sector in order to evaluate the kinds of fisheries relationships on offer (be they through fisheries agreements, partnership agreements, or market-access conditions). An assessment then needs to be made as to whether or not these are likely to provide the benefits that ACP countries seek with regard to the development of their fisheries sectors and the maximisation of the contribution of fisheries to the objectives of national food security, job creation and government revenue-generation.

Sources

Key sources

European Commission Fisheries website

http://ec.europa.eu/fisheries/index_en.htm

Green paper for the reform of the CFP

http://ec.europa.eu/fisheries/reform/index_en.htm

Reform of the fisheries control system – an overview⁷

http://ec.europa.eu/fisheries/cfp/control_enforcement/reform_control_en.htm

EC Advisory Committee on Fisheries and Aquaculture, Meetings Minutes

<http://ec.europa.eu/fisheries/dialog/>

Legal sources

Council regulations on:

Conservation and sustainable exploitation of fisheries resources

http://europa.eu.int/eur-lex/pri/en/oj/dat/2002/l_358/l_35820021231en005...

Emergency EU measures for scrapping fishing vessels

http://europa.eu.int/eur-lex/pri/en/oj/dat/2002/l_358/l_35820021231en005...

EU structural assistance in the fisheries sector

http://europa.eu.int/eur-lex/pri/en/oj/dat/2002/l_358/l_35820021231en004...

The EU action plan against IUU fishing

http://europa.eu.int/comm/fisheries/doc_et_publ/factsheets/legal_texts/d...

Council regulations on:

Conservation and sustainable exploitation of fisheries resources

http://europa.eu.int/eur-lex/pri/en/oj/dat/2002/l_358/l_35820021231en005...

Emergency EU measures for scrapping fishing vessels

http://europa.eu.int/eur-lex/pri/en/oj/dat/2002/l_358/l_35820021231en005...

EU structural assistance in the fisheries sector

http://europa.eu.int/eur-lex/pri/en/oj/dat/2002/l_358/l_35820021231en004...

The EU action plan against IUU fishing

http://europa.eu.int/comm/fisheries/doc_et_publ/factsheets/legal_texts/d...

Statistics

Table of EFF allocations per country

http://ec.europa.eu/fisheries/press_corner/press_releases/table06_62_en.pdf

Reports

European Court of Auditors, Special Report No. 7/2007 on the control, inspection and sanction systems relating to the rules on conservation of Community fisheries resources

<http://eca.europa.eu/portal/pls/portal/docs/1/581539.PDF>

‘The COM in fishery and aquaculture products: membership, partnership and performance’, Fisheries and Aquaculture in Europe, No. 40, December 2008

http://ec.europa.eu/fisheries/publications/magaz/fishing/mag40_en.pdf

White fish study 2008, AIPCE

<http://www.fiskbranschen.se/member/2008/pdf/aktuellt/2008/AIPCE%20White%20Fish%20Study%202008.pdf>

NGO position on the EU proposed policy to reduce discards

http://www.cape-cffa.org/pub_CFP/CFFA%20discards%20-%20FPA%20issues.doc

ACP-EU Joint Assembly resolution on the impact of structural assistance to the European fisheries sector on the sustainable development of ACP fisheries sector, 1999, ACP-EU 2656/99/fin

<http://www.europarl.eu.int/dg2/acp/stras99/en/resol.htm>

Communication from the Commission to the Council and the European Parliament on improving fishing capacity and effort indicators under the CFP

http://ec.europa.eu/fisheries/publications/factsheets/legal_texts/com_07...

Report on the role of flags of convenience in the fisheries sector, European Parliament 2001 (1). Committee on Fisheries, 2001

<http://www.europarl.eu.int/meetdocs/committees/pech/20011008/439060EN.pdf>

EC study, 'Energy saving in fisheries', April 2009

http://ec.europa.eu/fisheries/publications/studies/energy_saving_en.pdf

L aunched by CTA (Technical Centre for Agricultural and Rural Cooperation EC-ACP) in 2001, the Agritrade website (<http://agritrade.cta.int>) is devoted to agricultural trade issues in the context of ACP (Africa, Caribbean and Pacific) – EU (European Union) relations. Its main objective is to better equip ACP stakeholders to deal with multilateral (World Trade Organization - WTO) and bilateral (Economic Partnership Agreement – EPA) negotiations. Thus it provides regular and updated information and analysis on technical aspects of the trade negotiations, developments in the CAP and their implications on ACP-EU trade, as well as on major commodities (bananas, cereals, sugar, fisheries, etc).

CTA was created in 1983 in the framework of the Lomé Convention between ACP (Africa, Caribbean, Pacific) and EU (European Union) countries. Since 2000, the Centre has been operating under the ACP-EU Cotonou Agreement. CTA's tasks are to develop and provide services that improve access to ever-changing information for agricultural and rural development, and to strengthen the capacity of ACP countries to produce, acquire, exchange and use information in this area.

For more information:

CTA:

Web: <http://www.cta.int>

Agritrade:

Web: <http://agritrade.cta.int>

Email: agritrade@cta.int

Postal Address:

CTA

Postbus 380

6700 AJ Wageningen

The Netherlands

Telephone: +31 (0) 317 467100

Fax: +31 (0) 317 460067

E-mail: cta@cta.int

Visiting address:

Agro Business Park 2

Wageningen

The Netherlands

Brussels Branch Office:

CTA

Rue Montoyer, 39

1000 Bruxelles

Belgium

Telephone: +32 (0) 2 5137436

Fax: +32 (0) 2 5113868