

Common fisheries policy: conservation and sustainable exploitation (repeal. Regulations (EEC) No 3760/92 and (EEC) No 101/76)

2002/0114(CNS) - 28/05/2002 - Legislative proposal

PURPOSE: The conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy. **CONTENT:** Following a critical decline in the Community's fish stock a coherent, updated fisheries framework programme is urgently required. Hence the proposed Council Regulation which replaces Council Regulations 3762/92 and 101/76. This proposal limits itself to the conservation of fish stocks as well as attempting to arrest the environmental impact of over fishing in EU waters. Measures proposed are based on the precautionary principle. One of the central themes of the Regulation is that controlling the "fishing mortality rate" is one of the only, if not the only, way in which to effectively curb the current decline in fish stocks. The fishing mortality rate is defined as the proportion of a fish population which is removed each year by the fisheries which exploit it. In tandem with this principle is a second related management objective namely to minimise the impact of fishing activities on marine eco-systems, and in particular non-target species and sensitive habitats. The Commission proposal offers a number of solutions to tackle the management of the fishing mortality rate. They are: 1. Limiting catches - i.e. limiting the output of fisheries production. 2. Limiting the fishing effort - i.e. limiting the input of fisheries production. 3. Measures intended to protect young fish or non-target species. In order to implement these solutions the Commission proposes establishing scientifically-based targets for fishing mortality rates and population size, to fix the number and types of fishing vessels authorised to fish and lastly, wherever possible, to establish incentives to promote fishing practices which avoid the capture of young fish or non-target species. A further shift away from past practices is the introduction of multi-annual, rather than annual management plans. Multi-annual management plans must incorporate targets, which take account of scientific advice and against which the state of stocks can be measured. In addition, plans should incorporate defined harvesting strategies which pre-determine the method for setting catch and fishing effort limits. The strategic elements of the multi-annual management plans should be decided by the Council. After that their further implementation will be based essentially on technical criteria decided by the Commission which will be assisted by a Management Committee. A number of changes are also proposed with respect to emergency measures and national measures within the 12 mile zone. They include: - A procedure whereby the Commission may decide on emergency measures to allow for immediate action in the event of a serious threat to the conservation of resources. - Giving Member States the authorisation to adopt non-discriminatory conservation and management measures within the 12 mile zone applicable to all vessels fishing in the area. - Giving Member States the authority to take emergency measures applicable to all vessels in waters under their jurisdiction. This can apply for no longer than three months and on condition that there is a serious and unpredicted threat to the resources. A second central plank of the proposed Regulation is the streamlining of fleet capacity. Two types of new measures are foreseen: a) Measures directly affecting the size of the fleet. For example, fishing effort limitation, fixed under the multi-annual management plans to include reductions in fleet capacity. Similarly, fixing reference fleet levels, Member State by Member States based on MAGP IV objectives and accompanied by an entry/exit ratio of 1 to 1, thus preventing an overall increase in capacity in the fleet. b) Accompanying financial measures. For example, restricting public aid for investment in fishing vessels and the elimination of aid for the transfer of Community over-capacity to third countries. Similarly, offering Member States higher scrapping premiums. In terms of access to waters and resources the proposal suggests maintaining the current restrictions on the right to fish within the 12 mile limit beyond the 31/12/02 deadline. In all other Community waters, the Commission proposes that Member States should have equal access to fisheries resources, subject to measures decided by the Council or, under provisional emergency procedures, by the Commission or a Member State. Concerning the fishing allocation of fishing options amongst the Member States, the Commission proposes maintaining the status

quo. At the same time however it suggests that a method of allocation for each stock be decided by the Council in order to make the application of this principle more transparent. In an attempt to strengthen the application of these provisions the proposed Regulation introduces strengthened measures for the control and enforcement of the proposed management plans. For example, the responsibilities of the Member States and the Commission are clarified. Similarly, enhanced powers for inspectors and the designation of Community inspectors by the Member States and proposed. Lastly, a final chapter on decision-making and consultation proposes that the Commission implement international recommendation through the use of a management committee procedure, the establishment of a "Regional Advisory Council (RAC), the continued use of the "Advisory Committee for Fisheries and Aquaculture (ACFA) and broadening the remit of the "Scientific, Technical and Economic Committee for Fisheries (STECF) to cover all aspects of fisheries management. A review of the provisions relating to conservation and sustainability and the adjustment of fishing capacity will be conducted by 2008.