

Common fisheries policy (CFP)

2011/0195(COD) - 11/12/2013 - Final act

PURPOSE: reform of the Common Fisheries Policy (CFP).

LEGISLATIVE ACT : Regulation (EU) n° 1380/2013 of the European Parliament and of the Council [on the Common Fisheries Policy, amending Council Regulations \(EC\) No 1954/2003 and \(EC\) No 1224/2009 and repealing Council Regulations \(EC\) No 2371/2002 and \(EC\) No 639/2004 and Council Decision 2004/585/EC.](#)

CONTENT : this Regulation on the CFP aims to replace the basic provisions on the Common Fisheries Policy (basic Regulation.)

This Regulation and the Regulation the common organisation of the markets in fishery and aquaculture products are two of the three elements of the legislative package on CFP reform, the third one being the [Regulation on the European Maritime and Fisheries Fund](#) (EMFF).

The CFP ensures that fishing and aquaculture activities provide long-term sustainable environmental conditions. The objective is to reach an economically and socially sustainable fishing industry that contributes to the availability of food.

The main points of the reform are as follows:

Putting an end to over-fishing: the CFP aims to provide for measures to adjust the fishing capacity of the fleets to levels of fishing opportunities, with a view to having economically viable fleets without overexploiting marine biological resources. It applies the precautionary approach to fisheries management and aims to ensure that exploitation of living marine biological resources restores and maintains populations of harvested species above levels which can produce the maximum sustainable yield.

Accordingly, the management of fish stocks including total allowable catches (TACs) and quotas will be carried out according to the maximum sustainable yield (MSY) following from scientific advice. The maximum sustainable yield exploitation rate shall be achieved by 2015 where possible and, on a progressive, incremental basis at the latest by 2020 for all stocks.

Ecosystem approach: the CFP shall implement the ecosystem-based approach to fisheries management so as to ensure that negative impacts of fishing activities on the marine ecosystem are minimised, and shall endeavour to ensure that aquaculture and fisheries activities avoid the degradation of the marine environment.

Good governance: the CFP shall be guided by the following principles of good governance: (i) the clear definition of responsibilities at the Union, regional, national and local levels; (ii) the taking into account of regional specificities, through a regionalised approach; (iii) the establishment of measures in accordance with the best available scientific advice; (iv) a long-term perspective; (v) appropriate involvement of stakeholders, in particular Advisory Councils, at all stages - from conception to implementation of the measures; (vi) the primary responsibility of the flag State.

Conservation of biological resources: the Regulation aims to conserve marine biological resources through multiannual plans to be adopted based on scientific, technical and economic advice, which contain conservation measures to restore and maintain fish stocks above levels capable of producing maximum sustainable yield

Banning discards: the Regulation aims to gradually eliminate discards, on a case-by-case basis, by avoiding and reducing, as far as possible, unwanted catches, and by gradually ensuring that catches are landed.

There are exemptions to the discard ban (up to 5% of all catches, 7% and then 6 % for a transitional period). These exemptions may only be introduced when evidence indicates that increases in selectivity are very difficult to achieve or to avoid disproportionate costs of handling unwanted catches.

Fishing opportunities: the Regulation stipulates that fishing opportunities allocated to Member States shall ensure relative stability of fishing activities of each Member State for each fish stock or fishery. Fishing opportunities shall be fixed in accordance with MSY. Where new scientific evidence shows that there is a significant disparity between the fishing opportunities that have been fixed for a specific stock and the actual state of that stock, Member States having a direct management interest may submit a reasoned request to the Commission for it to submit a proposal to alleviate that disparity.

Scientific basis for fisheries management: the Regulation underlines the need for the collection of data and the provision of scientific advice to obtain a knowledge base for conservation policy.

Advisory Councils: Advisory Councils shall be established for each of the geographical areas or fields of competence, in order to promote a balanced representation of all stakeholders.

Advisory Councils shall be composed of: (a) organisations representing the fisheries and, where appropriate, aquaculture operators, and representatives of the processing and marketing sectors (60%); (b) other interest groups affected by the CFP (e.g. environmental organisations and consumer groups 40%).

Financial instruments: Union financial assistance may be granted to contribute to the achievement of the objectives of the CFP. It is made conditional upon compliance by both Member States and operators, including vessel owners, with the rules of the CFP. Noncompliance by Member States with the CFP rules may result in the interruption or suspension of payments. Serious infringements by operators of the CFP rules shall result in temporary or permanent bans on access to the Union financial assistance and/or the application of financial reductions.

Protected areas : the Union should endeavour to protect areas that are biologically sensitive, by designating them as protected areas, where there is clear evidence of heavy concentrations of fish below minimum conservation reference size and of spawning grounds.

The Commission will report to the European Parliament and Council on the functioning of the CFP before 31 December 2022.

ENTRY INTO FORCE : 29.12.2013. The Regulation is applicable from 01.01.2014.

DELEGATED ACTS : the Commission may adopt delegated acts regarding, for example, in respect of the adoption of conservation measures accompanying certain environmental obligations by Member States, the adapting of the landing obligation or the extension of the landing obligation to other species.

The power to adopt such acts is conferred on the commission for a period of five years from 29 December 2013.

The European Parliament or the Council may raise objections with regard to a delegated act within two months of the date of notification (which may be extended by two months). If Parliament or Council raise objections, the delegated act will not enter into force.