

## Information Guide



## Common Fisheries Policy

**A guide to information sources on the EU's Common Fisheries Policy, with hyperlinks to further sources of information within European Sources Online and on external websites**

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## Introduction

The Common Fisheries Policy has come a long way since its creation in 1982 – or indeed, since the first instruments of European fisheries policy were established in the early 1970s. What began as a set of tools to preserve traditional fishing patterns and defuse tension between a handful of nations is now a complex legal and scientific framework, which seeks to protect a natural resource whose finite, though renewable, nature can no longer be ignored.

Next to it, a new Maritime Policy seeks to respond in an integrated manner to all the challenges that European seas face today: from pollution to environment protection, from coastal development to job creation, from border control to surveillance and so on.

From: [DG Maritime Affairs and Fisheries](#) website, December 2013.

## Background

According to Eurostat's [Agriculture, forestry and fishery statistics](#) (2013 edition, published 7 November 2013):

The EU's fishing fleet capacity has declined fairly steadily since the early 1990s, in terms of both tonnage (an indicator of fish-holding capacity) and engine power (an indicator of the power available for fishing gear). The EU-27 fishing fleet had fallen to about 81,000 vessels in 2012; the number of vessels for just the EU-15 being 104,000 in 1995. The EU's fishing fleet in 2012 had a combined 1.6 million gross tonnes of capacity with a total engine power of 6.3 million kilowatts.

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The EU was one of the biggest fishery producers in the world in 2010 (accounting for a little less than 5 % of global production) albeit dwarfed by production from China, which accounted for about one third of global output.

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About 80% of the EU-28's total fishery production relates to catches. The live weight of catches for the EU-28 was 5.0 million tonnes in 2010. From the data available for 2011, it is possible to estimate that the volume of catches fell by 2–3 % to about 4.9 million tonnes of live weight. This would represent an overall decline of about 40 % or 3.2 million tonnes of live weight since 1995. The development of catches among the EU Member States during the period from 2007–11 closely mirrored the patterns highlighted above for fisheries production.

## Common Fisheries Policy

The legal basis for the Common Fisheries Policy (CFP) is the [Treaty on the Functioning of the European Union](#) (TFEU). Article 3 identifies 'the conservation of marine biological resources under the common fisheries policy' as one of the areas in which the Union has exclusive competence to legislate.

Article 13 requires fisheries and other relevant policies to 'pay full regard to the welfare requirements of animals, while respecting the legislative or administrative provisions and customs of the Member States relating in particular to religious rites, cultural traditions and regional heritage.'

Articles 38-44 (Title III) cover agriculture and fisheries, with Article 38 stating that the Union 'shall define and implement a common agriculture and fisheries policy'. The new Treaty for the first time explicitly recognises the importance of fisheries to the Union, the policy having previously been dealt with under Title II 'Agriculture' of the [Treaty establishing the European Community](#).

The idea for a CFP was first launched in 1970, when there were only six Member States. It established the principle of non-discriminatory access to Community fishing grounds, with the implication that they were a shared resource. Fishing was far more important, however, to the economies of the four applicant countries of Ireland, Denmark, Norway and the United Kingdom which had substantial fish stocks within their 12 mile limits.

Accession negotiations resulted in a move away from the fundamental principle, enshrined in the Treaty of Rome, of freedom of access to the sea; exclusive coastal fishing rights up to twelve miles were established and have been upheld ever since. Norway opted to stay out of the Community, but the accession negotiations in 1973 delayed full application of the CFP to the other three countries for 10 years.

In 1976, fishing limits were increased from 12 to 200 miles and from 1 January 1977 the Community's Exclusive Economic Zone (EEZ) therefore embraced numerous and potentially rich fishing grounds, the conservation and correct management of which was the responsibility of the Community. In 1982 the UN [Convention on the Law of the Sea](#) confirmed a 200 mile EEZ.

The Community's new responsibilities for fisheries management led to the creation of a Commission Directorate-General (DG) for Fisheries. In March 2008, the Commission announced it was creating a DG for Fisheries and Maritime Affairs (DG MARE) to replace the previous, more narrowly-focused DG FISH (see Press Release [IP/08/471](#)). [DG MARE](#) manages both the Common Fisheries Policy (CFP) and the Integrated Maritime Policy (IMP).

## **Reviewing the CFP**

Established in 1983, the [Common Fisheries Policy](#) was intended to last for 20 years, but concerns over fishing capacity and availability of resources have made major reviews necessary.

The CFP was originally designed around five main elements:

- conservation and management of fish stocks
- free access for all EU fishermen to all EU waters
- financial assistance for restructuring (vessels, port facilities and fish processing plants)
- the common organisation of the market
- an external fisheries policy which includes fishing agreements with non-Community members and negotiations in international organisations.

The first mid-term review of the CFP in 1992 showed that, if too many vessels are fishing for available resources, technical measures and control cannot prevent over-fishing. Regulation 3760/92 attempted to tackle the serious imbalance between fleet capacity and catch potential by advocating the reduction of the Community fleet and alleviating the social impact with structural measures.

However, despite the measures used under the CFP (minimum mesh sizes, closing certain areas to protect fish stocks, banning of some fishing gear, use of selective

techniques to allow smaller fish to escape capture, minimum fish sizes, recording of catches and landings), EU fisheries resources steadily declined. It became apparent that the CFP had failed to resolve the problems of:

- fishing fleets with too much catching capacity
- chronic depletion of stocks and wastage of fish
- inefficient implementation by Member States
- providing a reasonable standard of living for fishermen.

In March 2001, the Commission published a Green Paper on the Future of the Common Fisheries Policy ([COM\(2001\)135](#)). In May 2002, following a public debate, the Commission announced proposals for reforming the CFP ([COM\(2002\)181](#)). In its 'Roadmap', the Commission proposed:

- Ending the annual ritual of setting fishing quotas at too high a level. In future, total allowable catches (TACs) would be fixed within a multi-annual management plan, on the basis of the most recent scientific advice, to ensure that enough fish stay in the sea to replenish the stocks
- Tackling excess fleet capacity by ending public aid for new fishing vessels
- Making more EU money available to help fishermen find alternative work and for the restructuring of the sector
- Uniform and tougher sanctions across the EU and controls to be reinforced by setting up a Joint EU Inspection Structure
- The creation of Regional Advisory Councils to bring the CFP closer to fishermen, the industry, NGOs, regions and other stakeholders
- An action plan against illegal fishing and a strategy for EU fisheries development partnerships with third countries.

There was much opposition from those representing national interests because of proposed cuts in fishing fleets but agreement was finally reached at the end of a five-day meeting of the [Agriculture and Fisheries Council](#) in December 2002. The changes introduced by the reforms included:

- Policies for the conservation and rational management of fisheries resources and activities of the fishing fleet, with Recovery Plans for stocks below safe biological limits and Management Plans for stocks within safe biological limits; these [multi-annual plans](#) were intended to replace the short-term decision-making on an annual basis and avoid sudden changes in catch limits (TACs) from one year to the next
- Control and enforcement actions, with more transparent, efficient and harmonised controls in the Member States, designed to ensure stricter monitoring of national control systems
- Stakeholder involvement in the decision-making process, with seven [Regional Advisory Councils](#) (RACs) created to give stakeholders a say in the way fisheries are managed.

## **2009 Green Paper and 2011 reform package**

The Commission launched its latest mid-term review in September 2008, in the form of the Working Document 'Reflections on further reform of the Common Fisheries Policy' ([text](#) available from the Fisheries Secretariat, Sweden; see also Press Release [IP/08/1339](#)).

While noting that the 2002 reforms helped improve the management of EU fisheries, the Commission identified a number of problems, including 'short-sightedness, irresponsible decisions and irresponsible industry behaviour'. On the basis of its analysis, the

Commission proposed that a full review of the CFP should be launched immediately. Given that specific proposals for a revised CFP would be tabled by the succeeding Commission, the following timetable was suggested:

- a call by the Council on the Commission to bring forward the reform of the CFP as part of the overarching conclusions on Maritime Policy of the European Council at the end of December of 2008
- a full discussion document that could be ready in early 2009 at the latest in order to start a broadly-based consultation with Member States and stakeholders and build a political momentum and a constituency in favour of an ambitious reform of the policy
- a summary of the public debate some time early 2010 and an impact assessment due in 2010, leading to a proposal for a reformed CFP in early 2011 and its adoption in 2012.

The Green Paper 'Reform of the Common Fisheries Policy' ([COM\(2009\)163](#); see also DG MARE [Reform Background](#) page) was published on 22 April 2009. It identified five main structural failings of the current CFP:

- a deep-rooted problem of fleet overcapacity
- imprecise policy objectives resulting in insufficient guidance for decisions and implementation
- a decision-making system that encourages a short-term focus
- a framework that does not give sufficient responsibility to the industry
- lack of political will to ensure compliance and poor compliance by the industry.

Speaking a few weeks before the Green Paper was issued (see [SPEECH/09/174](#)), the Commission then responsible for Fisheries and Maritime Affairs, Joe Borg, said:

Most fish stocks in EU waters are overfished. Catches have fallen to such an extent that Europe now relies on imports for two-thirds of its fish. We have significant fleet overcapacity. We simply have too many fishing vessels chasing too few fish. This is driving the overall profitability of the sector down and exposing many fishermen and coastal communities to serious problems, particularly when, for whatever reason, the economic environment becomes harsh.

The Green Paper made clear that, whilst the proposed reforms were under discussion, work would continue on improving the way the CFP works within the existing framework, with actions including reforming control policy, continuing to fight illegal fishing, eliminating discards, continuing integration of the CFP within the IMP, and developing a new strategy on aquaculture (Press Release [IP/09/617](#)).

The closing date for comments on the Green Paper was 31 December 2009. On 16 April 2010, the Commission issued a 'Synthesis of the Consultation on the Reform of the Common Fisheries Policy' ([SEC\(2010\)428](#)).

On 23 June 2011, two reports confirmed the need for reform of the CFP (see Press Release [IP/11/778](#)). The [2010 Annual Economic Report on the European Fishing Fleet](#) showed a reduction in economic performance of the EU fishing sector in recent years. The Report 'on Member States' efforts during 2009 to achieve a sustainable balance between fishing capacity and fishing opportunities' ([COM\(2011\)354](#); see also [SEC\(2011\)759](#) and [SEC\(2011\)760](#)) confirmed the existence of overcapacity in the EU fleet, claiming:

it will be difficult to eliminate overcapacity in the short term if no changes are made to the current policy.

The subsequent Report on Member States' efforts during 2010 was adopted on 6 July 2012 as [COM\(2012\)368](#). It reiterated concerns about fleet capacity, saying that it:

remains one of the main obstacles to achieve sustainable fisheries and is one of the elements that the Commission proposes to address with the proposed reform of the Common Fisheries Policy.

A major reform of the CFP was proposed by the Commission in July 2011. The actions set out included:

- all fish stocks to be brought to sustainable levels by 2015
- the practice of discarding unwanted fish to be phased out
- consumers to be given better information on the quality and sustainability of fish products
- general policy principles and goals to be set in Brussels, with Member States deciding and applying appropriate conservation measures
- operators to make their own decisions on adapting fleet sizes
- financial support to be granted only to environmentally-friendly initiatives which contribute to smart and sustainable growth.

Details were given in a package of measures, adopted on 13 July 2011 as:

- [COM\(2011\)417](#): Communication 'Reform of the Common Fisheries Policy'
- [COM\(2011\)425](#): proposal for a Basic Regulation replacing Council Regulation (EC) 2371/2002 (check progress via the [PreLex dossier](#))
- [COM\(2011\)416](#): proposal for a Regulation on the common organisation of the markets in fishery and aquaculture products, replacing Council Regulation (EC) 104/2000 (check progress via the [PreLex dossier](#))
- [COM\(2011\)424](#): a Communication on the external dimension of the CFP
- [COM\(2011\)418](#): a Report on Council Regulation (EC) 2371/2002.

See also Press Releases [IP/11/873](#), [MEMO/11/503](#), [SPEECH/11/520](#) and Commission's [CFP Reform](#) pages.

Progress on the external dimension of the reform package was reported on 23 November 2012, with the European Parliament largely agreeing with the Commission's proposal in [COM\(2011\)424](#) (see Commission [news item](#)).

On 6 February 2013, the European Parliament voted in favour of the Commission's proposal for a new CFP (see Press Release [IP/13/96](#)). The Parliament and the Council subsequently reached political agreement on the main points of the draft basic CFP Regulation on 30 May 2013 (see Press Release [IP/13/488](#)).

On 15 July 2013, the Council confirmed political agreement with the European Parliament on the two final compromise texts on CFP reform (see Press Release [PRES/13/330](#)): proposal for a Basic Regulation replacing Council Regulation (EC) 2371/2002, and proposal for a Regulation on the common organisation of the markets in fishery and aquaculture products, replacing Council Regulation (EC) 104/2000.

(see also European Parliament Library Briefing [A new framework for the Common Fisheries Policy](#) 31 January 2013; 'The common fisheries policy reform. 2013: the Year of the Fisheries Reform' [Fisheries and Aquaculture in Europe No. 60](#) March 2013; 'Reform of the Common Fisheries Policy: a sustainable future for fish and fishermen' [Fisheries and Aquaculture in Europe No. 62](#) August 2013).

Check developments on the CFP Reform package via the Commission's [CFP Reform](#) pages.

## **Conservation and control**

### **TACs**

The CFP aims to protect fish resources by regulating the amount of fish taken from the sea, by allowing young fish to reproduce, and by ensuring that control measures are respected.

The Community's resource management policy is based on Total Allowable Catches (TACs), established annually by species and by fishing zone.

TACs have been difficult to implement because of the vested interests of some national governments when considering such questions as the sharing of TACs (quotas) between Member States and access by vessels to waters of other Member States. Resources policy also has to cope with negotiations with third countries to settle questions of access for Community vessels to their waters and vice versa.

### **Fishing opportunities**

Nevertheless, the Commission makes proposals each year on 'fishing opportunities', which set out its thinking on TACs for the following year, based on scientific evidence and expert opinion. The Commission receives input from the [International Council for the Exploration of the Sea](#) (ICES) and the [Scientific, Technical and Economic Committee for Fisheries](#) (STECF) and is assisted by the [Advisory Committee on Fisheries and Aquaculture](#) (ACFA).

Based on the Commission's proposals, catch limits are set by Fisheries Ministers each year for the Baltic Sea, the Black Sea and the North-East Atlantic (including the North Sea). For fisheries targeting deep-sea species, catch limits are fixed every two years. Fisheries in the Mediterranean are not managed through catch limits, except for bluefin tuna. Information on decisions taken can be located in press releases from the [Agriculture and Fisheries Council](#)).

Discussions on fishing opportunities in EU waters in 2011 were launched on 17 May 2010 (see Press Release [IP/10/574](#)), with Commissioner Maria Damanaki calling for a return to fishing at sustainable levels.

A Communication 'concerning a consultation on Fishing Opportunities' was adopted on 25 May 2011 as [COM\(2011\)298](#) (see also Press Release [IP/11/638](#)). It looked at progress achieved in the CFP over recent years and proposed an approach to promoting sustainable fishing in coming years. It confirmed that the aim of setting TACs, quotas and fishing effort levels for 2012 should be to phase out overfishing.

The Communication 'concerning a consultation on Fishing Opportunities for 2013' was adopted on 7 June 2012 as [COM\(2012\)278](#). According to Press Release [IP/12/584](#):

the Commission's efforts to phase out overfishing are starting to bear fruit. There are now 20 fish stocks in European seas which are known not to be overfished, compared to only 5 stocks in 2009.

Recent proposals on fishing opportunities include:

9 October 2012: Little increase in deep-sea fishing opportunities 2013-2014 (deep-sea fish stocks in North-East Atlantic, 2013-2014; Press Release [IP/12/1083](#));

24 October 2012: Fisheries: Commission proposes fishing opportunities for 2013 in the Atlantic and North Sea (Press Release [IP/12/1148](#));

19 November 2012: Commission proposes fishing opportunities for 2013 for fish stocks under international agreements (Press Release [IP/12/1229](#)).

[Council Regulation \(EU\) 1261/2012](#) of 20 December 2012 fixed for 2013 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Black Sea.

On 30 October 2013, the European Commission proposed fishing opportunities for 2014 for the Atlantic, the North Sea and international waters (see Press Release [IP/13/1005](#)).

[Council Regulation \(EU\) 1180/2013](#) of 19 November 2013 fixed for 2014 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Baltic Sea (see also Press Release [IP/13/787](#)).

### **Assessment and control**

Assessing the status of fish stocks can be difficult - as can ensuring that Member States comply with their obligations under CFP legislation. A 'CFP Scoreboard' was initiated to highlight compliance issues and bring pressure on Member States to improve their performance (see Press Release [IP/03/841](#) and [Summaries of EU legislation](#)).

Only three editions of the scoreboard were published. Texts are no longer available on the website of DG MARE, but details are available in other documents: 2003: Compliance with the rules of the Common Fisheries Policy 'Compliance Work Plan and scoreboard' ([COM\(2003\)344](#)); 2004: [IP/04/997](#) and [MEMO/04/200](#); 2005: [IP/06/52](#) and [MEMO/06/13](#). The 2005 edition, published in January 2006, identified a need for improvements in the collation and timely transmission of data to the Commission. The report also noted a landmark case brought against France by the European Court of Justice (ECJ) in July 2005, which saw a penalty of €20 million imposed, plus an additional €57 million for each six-month period of non-compliance with a 1991 ECJ ruling.

For a number of years, the Commission issued annual reports on serious infringements by Member States of the rules of the CFP. The seventh and most recent report was published in November 2008 as [COM\(2008\)670](#). Covering 2006, it showed there were 10,362 infringements detected during that year. It raised concerns over detection rates, sanctions applied by the Member States, and the level of information provided by the Member States (see Press Release [IP/08/1627](#); see also reports for: 2005 - [COM\(2007\)448](#) and [IP/07/1172](#); 2004 - [COM\(2006\)387](#) and [IP/06/992](#); 2003 - [COM\(2005\)207](#) and [MEMO/05/183](#); 2002 - [COM\(2003\)782](#)).

In December 2005, the Commission adopted the '2006-2008 Action Plan for simplifying and improving the Common Fisheries Policy', focusing on the two key areas of conservation and control ([COM\(2005\)647](#); see also Press Release [IP/05/1551](#)); on 9 June 2009, the Commission published [COM\(2009\)261](#) looking at the implementation of the Action Plan. In March 2007, the Communication 'A policy to reduce unwanted by-catches and eliminate discards in European fisheries' was adopted. Described as an innovation for the CFP, the proposal called for the adoption of a progressive fishery-by-fishery discard ban and the setting of standards for maximum acceptable by-catch (see [COM\(2007\)136](#), Press Releases [IP/07/429](#) and [IP/08/138](#), and [PreLex dossier](#)).

The Commission launched a debate on 'rights-based management in fisheries' in February 2007, with the publication of [COM\(2007\)73](#). Although Member States decide



their own fisheries management systems, their characteristics affect the EU fleets, and the Commission therefore 'wants to improve the understanding of how fishing rights such as licences, individual fishing quotas, days at sea and/or limited access to fishing grounds are set up and used within the EU and to discuss best practices' (see Press Releases [IP/07/245](#), [MEMO/07/84](#) and [EP news item](#) and [PreLex dossier](#)). The [Study](#) 'An analysis of existing Rights Based Management (RBM) instruments in Member States and on setting up best practices in the EU' was published on 1 February 2009.

A report 'on the control, inspection and sanction systems relating to the rules on conservation of Community fisheries resources' was published by the European Court of Auditors (ECA) in December 2007. The ECA stated: 'If the political authorities want the CFP to achieve its objective of sustainable exploitation of fisheries resources, the present control, inspection and sanction systems must be strengthened considerably' ([Special Report 7/2007](#); see also [Information note](#) and Press Releases [IP/07/1862](#) and [MEMO/07/552](#)).

Just months later, in February 2008, the Commission launched a consultation on reforming the CFP control system, intended to 'establish what action is both desirable and appropriate at EU level, and to gauge the probable impact of the initiatives under consideration' (see Press Release [IP/08/340](#)).

On 19 July 2008, the Community Fisheries Control Agency (CFCA) formally opened its offices in Vigo, Spain. Established in 2005 and operational since early 2007, the Agency's role is 'to organise operational coordination of fisheries control and inspection activities by the Member States and to assist them to cooperate so as to comply with the rules of the Common EU Fisheries Policy in order to ensure its effective and uniform application' (see Press Release [IP/08/1185](#) and [CFCA website](#)). From 1 January 2012, the Agency was renamed the European Fisheries Control Agency (EFCA).

In November 2008, the Commission published a 'Proposal for a Council Regulation establishing a Community control system for ensuring compliance with the rules of the Common Fisheries Policy' ([COM\(2008\)721](#); see also Press Releases [IP/08/1710](#) and [MEMO/08/709](#)).

Introducing the proposal, the then Fisheries Commissioner Joe Borg described control and enforcement as the Achille's heel of the CFP (see [SPEECH/08/617](#)), adding:

Our collective failure to adequately implement and monitor the rules which we agree on undermines the credibility of even our best management measures, and makes a mockery of a system based on catch limitations. Without accurate data on catches and landings, the very scientific advice on which we depend becomes unreliable.

On 22 April 2009, the European Parliament supported the Commission's proposal (see Press Releases [IP/09/623](#) and [20090421IPR54066](#)). On 20 November 2009, [Council Regulation \(EC\) 1224/2009](#) (the Control Regulation) 'establishing a Community control system to ensure compliance with the rules of the CFP' was adopted, entering into force on 1 January 2010 (see Press Release [MEMO/09/571](#)).

In addition to the Control Regulation, the Union's current 'net to plate' fisheries control framework also includes: [Council Regulation \(EC\) 1005/2008](#) (the IUU Regulation) 'establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing' and [Council Regulation \(EC\) 1006/2008](#) (the Fisheries Authorisations Regulation) 'concerning authorisations for fishing activities of Community fishing vessels outside Community waters and the access of third country vessels to Community waters' (see Press Releases [IP/11/465](#) and [MEMO/11/234](#)).

The issue of discards was addressed by Commissioner Damanaki in a speech on 1 March 2011 (Press Release [SPEECH/11/136](#)), in which she said that up to 50% of whitefish catches and some 70% of flatfish catches are discarded in European fisheries. The Commissioner added:

So far we have tried to tackle discards with technical measures. But let's be honest, if we continue this it is like treating a serious illness with Aspirin. We have to recognize that our policy gives sometimes incentives to discarding. So, I am convinced that we have to start thinking outside the box.

To effectively tackle discarding we need to look at new ways forward. Therefore, I am considering proposing a discard ban as part of the CFP reform proposals.

(See also European Parliament Library Briefing 13 May 2013: [Discarding fish under the Common Fisheries Policy: Towards an end to mandated waste](#)).

In its December 2011 report 'Have EU measures contributed to adapting the capacity of the fishing fleets to available fishing opportunities?', the European Court of Auditors (ECA) concluded that overcapacity of the EU fishing fleet continues to be one of the main reasons for the CFP's failure to ensure sustainable fishing (see [Special Report 12/2011](#) and Press Release [ECA/11/46](#)).

The European Fisheries Control Agency adopted its Annual report for 2011 on 15 March 2012 (see [Press Release](#); access Report via [Basic documents](#) page). The Agency's Multiannual work programme 2013-2017 and Annual work programme 2013 were adopted on 10 October 2012 (see [Press Release](#) and [Work programme](#) page), with EFCA's Executive Director saying:

During 2013 we will see the adoption of a reformed Common Fisheries Policy, providing a good opportunity to achieve the objective of sustainable fishing with good compliance. Efficient control right across Europe is essential to the achievement of that objective and thus the role of the EFCA in promoting the highest common standards is of utmost importance.

29 February 2012 saw the publication of the [Community Fisheries Control Agency, five-year independent external evaluation, final report](#), which concluded:

Considering the agency's limited resources, its operation in the politically sensitive environment of fisheries policy, and current Member State budget constraints, performance against the evaluation criteria of relevance, efficiency, effectiveness, impact and sustainability can be considered promising

On 5 March 2013, EFCA adopted its [Annual Report for 2012](#) (see also [Press Release](#)). The [Multiannual work programme for year 2014-2018 and the annual work programme of the European Fisheries Control Agency for the year 2014](#) were adopted on 15 October 2013.

On 1 August 2012, the Commission announced the deductions from 2012 fishing quotas for Member States that had exceeded their 2011 quotas. Made under the Control Regulation ([Council Regulation \(EC\) 1224/2009](#)) deductions are intended to help ensure the sustainability of fish stocks. 2012 was the first year in which deductions were increased by 50% for Member States that had repeatedly overfished the same stock in the three previous years (see Press Release [IP/12/874](#)).

At the annual meeting of the International Commission for the Conservation of Atlantic Tuna ([ICCAT](#)) on 12-19 November 2012, the European Commission called for protection of Bluefin Tuna, Marlin and Sharks, and for an improved ICCAT management and control

system to help ensure better compliance with rules aimed at fighting illegal, unreported and unregulated fishing (see Press Release [IP/12/1197](#)).

On 15 November 2012, the Commission announced that it was warning eight third countries that they risk being identified as countries it considers non-cooperative in the fight against illegal, unreported and unregulated fishing. Taken under [Council Regulation \(EC\) 1005/2008](#) (the IUU Regulation), the action targeted Belize, Cambodia, Fiji, Guinea, Panama, Sri Lanka, Togo and Vanuatu (see Press Release [IP/12/1215](#)). Commenting on the action, Commissioner Maria Damanaki said:

This is not a black list, but a yellow card. We want these countries as partners to combat illegal fishing. We want them to improve their legal and control systems as required by international rules. But we also want to signal to the world that the EU will not tolerate IUU fishing - a criminal activity which undermines the livelihood of fishing communities and depletes fish stocks. It must be eradicated by all means.

On 26 November 2013, the Commission identified Belize, Cambodia and Guinea as non-cooperating third countries, claiming that they had failed to show real commitment to tackling the problem of illegal fishing (see Press Release [IP/13/1162](#)).

## **European Fisheries Fund**

The European Fisheries Fund (EFF) was established by [Council Regulation 1198/2006](#), which entered into force in August 2006. Described as being 'tailor-made to secure a sustainable European fishing and aquaculture industry', from 1 January 2007, the EFF replaced the Financial Instrument for Fisheries Guidance (FIFG - see [Summaries of EU legislation](#)), established in the revision of the Structural Funds in 1993.

Spanning 2007-2013, the EFF provides financial assistance to help implement the latest reform of the CFP and support restructuring of the fisheries sector. It has five priorities:

- measures to adapt the EU fishing fleet
- aquaculture, inland fishing, processing and marketing
- collective action
- sustainable development of coastal fishing areas
- technical assistance.

Under these priorities, it makes funding available to support a range of economic, environmental and social goals in order to:

- ensure the long-term future of fishing activities and the sustainable use of fishery resources
- reduce pressure on stocks by matching EU fleet capacity to available fishery resources
- promote the sustainable development of inland fishing
- help boost economically viable enterprises in the fisheries sector and make operating structures more competitive
- foster the protection of the environment and marine resources
- encourage sustainable development and improve the quality of life in areas with an active fishing industry
- promote equality between women and men active in the fisheries sector.

With a total budget of €4.3 billion for 2007-2013, the EFF is the major financial pillar of the CFP. According to the Commission Staff Working Document [SEC\(2011\)1416](#):

The 5 largest current recipients are Spain (26.29%), Poland (17.05%), Italy (9.86%), Portugal (5.73%) and Romania (5.36%). Together they account for close to 65% of the total allocation of funds.

Projects co-financed by the EFF 'must help strike a balance between resources and fishing capacity, protect and add value to the aquatic environment and natural resources, support competitiveness and the economic sustainability of the sector, improve the quality of life in fisheries areas and promote gender equality among those working in the sector' (see [EFF website](#) and also [Summaries of EU legislation](#) and Press Releases [IP/06/793](#) and [MEMO/06/241](#); [MEMO/06/242](#) compares the FIFG and EFF; on 1 May 2010, the Commission published the [Study](#) 'Ex-Post evaluation of the Financial Instrument for Fisheries Guidance (FIFG) 2000-2006').

In October 2006, the Commission adopted a Decision fixing an annual indicative allocation for each Member State of the €3.849 billion EFF budget, from 1 January 2007 to 31 December 2013 (Press Release [IP/06/1310](#)). That was amended in March 2007 by [Decision 2007/218/EC](#), allowing for the accession of Bulgaria and Romania to the EU. March 2007 also saw the Commission adopt [Regulation 391/2007](#), setting out how Member States should implement the EFF ([Press Release IP/07/411](#)).

In September 2008, the Commission approved the Operational Programme for the UK fisheries industry for the period 2007-2013 (see [MEMO/08/573](#)).

The Commission's first annual report on implementation of the EFF was issued on 16 January 2009 as [COM\(2009\)6](#) and the second on 21 December 2009 as [COM\(2009\)696](#). The 'Third annual report on implementation of the European Fisheries Fund (2009)' was adopted on 7 February 2011 as [COM\(2011\)37](#) (the accompanying Commission Staff Working Document [SEC\(2011\)139](#) included a short summary of EFF implementation in each Member State). The fourth annual report (2010) was adopted on 21 December 2011 as [COM\(2011\)927](#) (accompanied by [SEC\(2011\)1620](#)).

An 'Interim evaluation of the European Fisheries Fund (2007-2013)' was published on 23 January 2012, using information provided by 26 Member States to the Commission by the end of June 2011 (see [evaluation](#) page).

The Fifth annual implementation report (2011) was adopted on 12 December 2012 as [COM\(2012\)747](#) (accompanied by [SWD\(2012\)424](#)).

## **European Maritime and Fisheries Fund**

The Commission's June 2011 proposal for the [Multiannual Financial Framework](#) (MFF) for 2014-2020 set the budgetary framework for funding both the Common Fisheries Policy (CFP) and the Integrated Maritime Policy (IMP; for 2008-2010, the IMP was financed through a series of pilot schemes and preparatory actions; a new financial instrument was proposed for 2012-2013 - see Press Release [IP/10/1268](#) and [Regulation \(EU\) 1255/2011](#) - but the launch of the 2014-2020 MFF requires measures for long-term funding of the IMP).

On 2 December 2011, as part of a package of new funding measures proposed under the MFF, the Commission adopted a proposal for a Regulation 'on the European Maritime and Fisheries Fund ...' ([COM\(2011\)804](#); see also Commission Staff Working Documents [SEC\(2011\)1416](#) and [SEC\(2011\)1417](#), and Press Releases [IP/11/1495](#) and [MEMO/11/863](#)).

Intended to help deliver the objectives of the reformed CFP, the €6.5 billion European Maritime and Fisheries Fund (EMFF) will seek to help fishermen make the transition

towards sustainable fishing, and support the diversification of coastal communities. Replacing the existing EFF, the EMFF will be structured around four pillars:

- Smart, Green Fisheries, to foster the transition to sustainable fishing
- Smart, Green Aquaculture, to achieve economically viable, competitive and green aquaculture
- Sustainable and Inclusive Territorial Development, to reverse the decline of many coastal and inland communities dependent on fishing
- Integrated Maritime Policy, to support cross-cutting priorities which generate savings and growth, but which the Member States will not take forward on their own (e.g. marine knowledge, maritime spatial planning, integrated maritime surveillance).

In addition, the EMFF will include accompanying measures: data collection and scientific advice, control, governance, fisheries markets, voluntary payments to RFMOs and technical assistance.

The EMFF will contribute to achieving the objectives of the [Europe 2020](#) strategy under three flagship initiatives: [Resource efficient Europe](#), [Innovation Union](#) and [Agenda for new skills and jobs](#).

On 22-23 October 2012, the Council reached a partial agreement on the proposed EMFF Regulation. Member States agreed to phase out scrapping aid, with a transition period lasting until 2017, and to retain temporary cessation aid and engine replacement aid - but under strict conditions (see Press Release [15100/12](#) and Commission [news item](#)).

A vote by the European Parliament to support the EMFF was welcomed by the Commission on 23 October 2013 (see Press Release [IP/13/991](#)). The vote was seen as a crucial step to securing political agreement by the end of the year and thus allowing the EMFF to be in place as of January 2014 (see also European Parliament Library Briefing [European Maritime and Fisheries Fund \(2014-20\)](#) 17 October 2013).

## **Fishing fleet**

Given the critical situation of many stocks in European waters, the total capacity of the Community fleet has been 'frozen' since 31 December 2002.

The CFP's structural policy prior to 2003 had aimed to modernise fishing fleets to ensure that catching capacity matched fish quotas in accordance with the Multi-Annual Guidance Programmes (MAGPs). Established in 1983, MAGPs were the main instrument for adjusting fishing capacity (vessel tonnage and engine capacity) and fishing effort (number of days at sea).

In response to recommendations from scientists to drastically reduce fishing mortality (the amount of fish killed by fishing), fleet reduction targets were set. While the third set of MAGPs (1992-1996) was relatively successful in reducing fleet capacity, the objectives fixed under MAGP IV (1997-2002) proved to be too modest to help achieve a better balance between fisheries resources and the fishing activities of the EU fleet. As the efficiency of fishing vessels increased every year due to technological progress, MAGPs were not effective enough to achieve a significant reduction of fishing capacity.

As part of CFP reform, MAGPs were replaced by a simpler scheme aimed at gradually reducing capacity, partly through requiring that any new capacity introduced into the fleet without public aid must be compensated by the withdrawal of at least an equivalent capacity (see section 3.2. 'Repercussion of the conservation policy on the fishing fleet' in the CFP Roadmap, [COM\(2002\)181](#)).

[Regulation 875/2007](#) amended legislation on state aid for fisheries sector was adopted in July 2007, increasing the 'de minimis' aid from €3,000 to €30,000 per three-year period, per beneficiary (with various provisos; see Press Release [IP/07/1161](#) and [Summaries of EU legislation](#)).

The impact on parts of the Union's fishing fleet of significant rises in fuel oil prices in the Summer of 2008 caused the European Commission to adopt a package of emergency measures. The initiative ([COM\(2008\)454](#)) provided for temporary derogations from EFF rules, allowing funds to target the underlying causes of the crisis and to provide short-term support to the hardest-hit segments of the fleet (see also Press Releases [IP/08/1120](#) and [MEMO/08/493](#)). It was adopted as [Council Regulation 744/2008](#) of 24 July 2008 'instituting a temporary specific action aiming to promote the restructuring of the European Community fishing fleets affected by the economic crisis'.

Published in January 2009, the Commission's Annual Report 'on Member States' efforts during 2007 to achieve a sustainable balance between fishing capacity and fishing opportunities' ([COM\(2008\)902](#)) criticised Member States for not providing the information required by the Commission under [Regulation 1438/2003](#) 'laying down implementing rules on the Community Fleet Policy ...'. The Commission stated:

Most of the reports are compiled in such a way that a clear link between effort management measures and fleet capacity adjustment cannot be established, nor do they critically analyse the trends in real effort deployed. Generally speaking, the impact of fishing effort adjustment measures on fleet capacity seems to be limited. In some cases, the main driver of fleet capacity reduction appears to be a combination of poor economic performance of the fleet and the availability of Community or national funds.

The Commission noted that, during 2007, the fishing capacity of the EU fleet 'continued its slow but steady decline at an annual rate of between 2% and 3%.' It also observed that the temporary measures proposed in July 2008 to restructure the EU fishing fleet provided 'an opportunity to achieve the necessary restructuring of the fleet which should not be missed.'

In the report on Member States' efforts during 2008, published as [COM\(2010\)60](#) dated 25 February 2010, the Commission said:

The quality of Member States' reports in 2008 showed an improvement relative to those for 2007. However, the majority of the reports did not describe the Member States' fleets in relation to fisheries in a manner that enabled the Commission to analyse the efforts made to achieve a balance between the capacity of the fishing fleet and the available fishing opportunities, as stipulated by Article 14 of Regulation (EC) No 2371/2002. Instead, Member States emphasized the national fleet management systems implemented and the trends in fleet capacity in relation to the entry/exit scheme.

According to Eurostat's Statistics Explained [Fishery statistics](#) of September 2012:

By far the largest fishing fleets among the EU Member States, in terms of power, were those from Italy, France, Spain and the United Kingdom; in 2010, the fishing fleets of each of these countries had a collective power of between 0.8 million kW and 1.1 million kW. In terms of tonnage, however, the Spanish fishing fleet was by far the largest (415 000 gross tonnes), which was at least twice the size of the fleets in the United Kingdom, Italy or France. The fishing fleets of Norway and Iceland were also relatively large. Indeed, the fleet in Norway had more power (1.2 million kW) than any of the fleets from the EU Member States, while in

tonnage terms the Norwegian fleet (366 000) was smaller only than the Spanish one.

## Market organisation

The CFP aims 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.

[Council Regulation 104/2000](#) 'on the common organisation of the markets in fishery and aquaculture products' was adopted at the end of 1999, with the aim of achieving a better match between supply and demand, strengthening the competitiveness of the processing industry and improving information to consumers through better labelling. This basic Regulation has given rise to much additional legislation on COMs (see [Directory of European Union legislation in force](#), section '04.10.20 Market organisation' and [Summaries of EU legislation](#)).

[Producers' Organisations](#) (POs) were established under the CFP to enable groups of fishermen to market their catches and to organise the management and implementation of technical measures for the conservation of fish stocks.

Guide prices are set at the beginning of the fish marketing year for the main fresh or chilled products, based on the average of the prices recorded on wholesale markets or in representative ports during the three previous fish marketing years (see for example [Council Regulation \(EU\) 1258/2010](#) 'fixing for the 2011 fishing year the guide prices and Union producer prices for certain fishery products ...'). Allowance is made for possible changes in production and demand, the need to ensure stable market prices and to contribute to supporting the income of producers, and consumers' interests.

On 23 November 2012, the Commission adopted COM (2012) 687 - a draft Regulation 'fixing for the 2013 fishing year the guide prices and Union producer prices for certain fishery products' (check progress via the [PreLex dossier](#)).

On 24 April 2013, Commissioner for Maritime Affairs and Fisheries, Maria Damanaki, launched the European Market Observatory for Fishery and Aquaculture Products (EUMOFA). The Observatory is an EU-wide interactive tool data on volume, value and price of fisheries and aquaculture products throughout the supply chain (see Press Release [IP/13/356](#)).

## Blue Growth

On 13 September 2012, the Commission adopted the Communication 'Blue Growth: opportunities for marine and maritime sustainable growth' ([COM\(2012\)494](#); see also Press Release [IP/12/955](#) and [Blue growth](#) page). Although fishing is not the focus of the Blue Growth initiative, the Communication does note the potential of aquaculture for helping coastal communities diversify and for helping to preserve fish stocks.

A few days earlier, on 11 September, the Commission adopted a report on 'Progress of the EU's Integrated Maritime Policy' ([COM\(2012\)491](#); see also Press Release [IP/12/1081](#) and [Integrated maritime policy](#) page). In the 'Fisheries and aquaculture' section, it stated:

EU fisheries are affected by several interconnected problems. Fish stocks are overfished, the economic situation of parts of the fleet is fragile, despite high levels of subsidies, jobs are unattractive, and the situation of many coastal communities depending on fisheries is precarious.

It went on to note that the Commission had proposed reforms to the CFP, with:

clear sustainability targets for the exploitation of resources and the stopping of wasteful practices are at the heart of the proposals.

See also European Parliament Library Briefings [Blue growth: Sustainable development of EU marine and coastal sectors](#) 6 May 2013, and [Blue growth](#) 27 June 2013.

On 11 July 2013, the Commission announced that a study had found that the creation of maritime zones, including Exclusive Economic Zones (EEZs), in the Mediterranean would benefit the EU's Blue Growth and wider sustainability agendas (see Press Release [IP/13/681](#)).

Building on the Blue Growth initiative, a new strategy for the Adriatic and Ionian Seas was launched by the Commission in December 2012. The strategy comprises four pillars: a stronger blue economy, a healthier marine environment, a safer maritime space, and responsible fishing activities (see Press Release [IP/12/1306](#)).

## External relations

The EU is a contracting party to a number of regional fisheries organisations:

- [North-West Atlantic Fisheries Organisation](#) (NAFO)
- [North-East Atlantic Fisheries Convention](#) (NEAFC)
- [North Atlantic Salmon Conservation Organisation](#) (NASCO)
- [International Commission for the Conservation of Atlantic Tunas](#) (ICCAT)
- [Fishery Committee for the Eastern Central Atlantic](#) (CECAF)
- [Western Central Atlantic Fishery Commission](#) (WECAFC)
- [South-East Atlantic Fisheries Organisation](#) (SEAFO)
- [General Fisheries Commission for the Mediterranean](#) (GFCM)
- [Indian Ocean Tuna Commission](#) (IOTC)
- [Western and Central Pacific Fisheries Commission](#) (WCPFC)
- [Commission for the Conservation of Antarctic Marine Living Resources](#) (CCAMLR)

(Details of each of these organisations can be found via the Commission's [Regional fisheries management organisations](#) - RFMOs - page.)

The EU has negotiated fishing agreements with more than 20 non-member countries, the aim of which 'is to provide the European fleet with access to surplus fish resources in the territorial waters of non-EU countries and to promote responsible and sustainable fisheries in the waters of those countries, in particular by supporting fisheries policies in partner countries' (see the Commission's [Fisheries agreements](#) page).

Speaking on 13 May 2011 (see Press Release [SPEECH/11/332](#)), Commissioner Damanaki addressed the need for new Partnership Agreements, identifying three reasons for reform: to ensure long-term sustainability in non-EU waters; to ensure a strong governance framework and consistency with other EU policies; and to improve financial support to the Union's fisheries partners.

On 14 November 2011, Commissioner Damanaki said in [SPEECH/11/752](#):

The External Dimension of the new Common Fisheries Policy is an intrinsic part of the reform. It has two important pillars.



The first pillar is about applying the principles of sustainable management throughout the world to ensure healthy and productive fish stocks for us, our children and the next generations. These stocks will also build the economic basis for our fleet.

The second pillar is about giving a fight for our industries to ensure a level playing field and let me stress here: yes, I see it indeed as their right to ask for a level playing field. Bringing about this level playing field is not an easy task, but it is crucial that we pursue it, if we are serious about having a more viable industry and if we are serious about offering better economic prospects for our industry.

On 8 December 2011, the Commission welcomed the adoption by the United Nations General Assembly of a Resolution on sustainable fisheries (see [Press Release](#)).

The United Nations Conference on Sustainable Development ([Rio+20](#)) was held in Rio de Janeiro, Brazil, on 20-22 June 2012. Speaking on 6 March 2012, the Commissioner for Maritime Affairs and Fisheries, Maria Damanaki, highlighted fishing as one of two global issues on which the EU wished to make progress in Rio. In particular, the Commissioner noted the need to improve governance, enforce rules, and eradicate both discarding and illegal fishing through international cooperation (see [SPEECH/12/154](#)).

## Information sources in the ESO database

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### [13.7 Fisheries](#)

- [Key source](#)
- [Legislation](#)
- [Policy-making](#)
- [Report](#)
- [Statistics](#)
- [News source](#)
- [Periodical article](#)
- [Textbook, monograph or reference](#)
- [Background](#)

## Further information sources on the internet

- European Commission: DG Maritime Affairs and Fisheries
  - [Homepage](#)
  - [Fisheries website](#)
    - [Policy](#)
    - [Advisory Committee on Fisheries and Aquaculture](#)
    - [News and events](#)
    - [Contracts and funding](#)
    - [Fisheries facts](#)
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    - [Reform of the common fisheries policy](#)
    - [TACs and quotas](#)
    - [The EU system for fisheries controls](#)
    - [European Fisheries Fund](#)
    - [European Atlas of the Seas](#)

- Europa
  - Policy areas: [Maritime affairs and fisheries](#)
  - Summaries of EU legislation
    - [Maritime Affairs And Fisheries](#) (subsections on: [Maritime affairs](#); [Management of fisheries resources and the environment](#); [Organisation and financing of the fisheries sector](#); [External relations and enlargement](#))
  - EU Bookshop
    - [Homepage](#)
      - [Fisheries and aquaculture in Europe](#)
- European Commission: DG Communication
  - [RAPID](#) press releases database - [Maritime Affairs and Fisheries](#) (pre-set search)
- European Commission: DG Eurostat
  - [Fisheries statistics](#)
  - Statistics Explained: [Fishery statistics](#)
- European Union: EUR-Lex
 

The text of proposed and adopted legislation relating to the CFP can be found via EUR-Lex:

  - [Proposed](#) (section: [04 Fisheries](#))
  - [Adopted](#) (section 04: Fisheries)
  - [Treaty on the Functioning of the European Union](#) Article 3, Article 13, Articles 38-44
  - Thematic File: [The common fisheries policy \(CFP\)](#) (May 2009)
- European Commission: PreLex
 

[Homepage](#). In [Standard search](#), use the option 'Search on words from the title of the proposal' with 'fisheries' or other appropriate keyword; or in an [Advanced search](#) choose 'Fields of activity' and select 'Fisheries'.
- European Parliament: Legislative Observatory (OEIL)
 

[Homepage](#): Carry out a [Search](#): scroll down the right-hand menu and expand 'Subject'; then expand 'Community policies', choose 'Fisheries policy' and select appropriate sub-heading.
- European Court of Justice and General Court: InfoCuria
 

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- Council of the European Union
  - [Agriculture and Fisheries Council](#)
- European Parliament
  - [Committee on Fisheries](#) (PECH)
- European Parliament: Fact Sheets
  - [Homepage](#):
  - Within section on [Sectoral policies](#) the subsection on Common Fisheries Policy has factsheets on:
    - [The Common Fisheries policy: Origins and development](#)
    - [Fisheries resources conservation](#)
    - [Fisheries control](#)
    - [Fisheries structural assistance](#)

- [Producers organisations and the common market organisation in fisheries products](#)
  - [International fisheries relations](#)
  - [European aquaculture](#)
  - [Integrated maritime policy](#)
  - [European fisheries in figures](#)
- Committee of the Regions
  - [Commission for Natural Resources](#) (NAT)
- European Economic and Social Committee
  - [Section for Agriculture, Rural Development and the Environment](#) (NAT)
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    - [Basic documents](#) (includes 'General Reports', 'Financial Reports')
- Organisation for Economic Co-operation and Development (OECD)
  - [Homepage](#)
    - [Fisheries](#)
    - [Review of Fisheries 2011. Policies and Summary Statistics](#)
    - [Rebuilding Fisheries. The Way Forward](#)
    - [OECD Review of Fisheries: Country Statistics 2012](#)

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