



Northern Ireland  
Assembly

## Research and Information Service Briefing Note

Paper 74/13

15th April 2013

NIAR 61-13

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# Reform of the Common Fisheries Policy– Spring 2013 update

## 1 CFP reform

In 2008 the European Commission launched what has been generally referred to as a 'radical reform' of the Common Fisheries Policy (CFP). As part of this ongoing process of reform the European Commission had hoped to publish legislative proposals for the reform of the CFP in early 2011 with a view to a revised CFP coming into force on the 1st of January 2013.

The Commission actually published its reform proposals on the 13<sup>th</sup> July 2011, with some of the main components being as follows:

- **Introduce transferable fishing rights** for individual vessels longer than 12 meters and vessels under 12 meters fishing with towed gear;
- **A discards ban** - gradual introduction of a partial discards ban, i.e. a discards ban on some species;
- **A precautionary approach to fisheries management** – leading to stocks being exploited at levels above MSY;

- **Regionalisation** – giving greater power to both national governments and regional bodies in terms of decision making.

These and other proposals were grouped into 3 so called legislative packages as follows:

- **Basic regulation;**
- **Common Market Organisation (CMO);**
- **European Maritime and Fisheries Fund (EMFF).**

The response to the Commission's reform proposals was mixed but it should be noted this current CFP reform process is the first to be subject to co-decision, as a result of the Lisbon Treaty coming into force in 2009.

This co-decision requirement effectively means that the final CFP reform package implemented by the Commission needs to have the agreement and endorsement of the EU Council and Parliament.

As a result of the co-decision requirement, since the publication of the Commission proposals in July 2011 the European Parliament and the European Council have each sought to refine their position with regard to the Commission proposals. This process has been protracted but table 1 below sets out some of the key milestones over the last 2 years in chronological order.

Date	Body involved	Milestone
2 <sup>nd</sup> December 2011	European Commission	Publication of proposals for the new European Maritime and Fisheries Fund which will replace the European Fisheries Fund for the 2014-20 programme period with a proposed budget of €6.5 billion.
8 <sup>th</sup> May 2012	European Parliament	Environment Committee adopts opinion on CFP reform.
13 <sup>th</sup> June 2012	European Council	Adoption of general position on CFP reform – including discards ban, achievement of MSY and the Common Market Organisation (CMO)
10 <sup>th</sup> July 2012	European Parliament	MEPs table more than 2500 amendments to the basic regulation.
12 <sup>th</sup> September 2012	European Parliament	Adoption of the Parliament's first reading position on the Common Market Organisation (CMO)
24 <sup>th</sup> October 2012	European Council	Council adopts partial general approach on new European Maritime and Fisheries Fund (EMFF).
6 <sup>th</sup> February 2013	European Parliament	Parliament adopts CFP reform position (basic regulation) in plenary with strong majority.
27 <sup>th</sup> February 2013	European Council	Council finalises general approach

		on basic regulation.
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Table 1: Key CFP reform milestones<sup>1</sup>

The last two milestones in table 1 are of particular significance as their achievement enabled the instigation of so called trilogue meetings between the Commission, Parliament and Council on the Basic Regulation and Common Market Organisation (CMO) legislative packages in order to negotiate an agreed CFP reform package.

As things currently stand a total of 4 trilogue meetings have been held on the basic regulation and a further 2 have been held on the issues relating to the common market organisation (CMO).

There remain areas of difference between the Parliament and Council positions and some of the issues dominating both the past and future trilogue meetings relating to the Basic Regulation package are set out in table 2 below.

Issue	Council Position	Parliament Position
Regionalisation	Need for unanimous agreement on a set of measures for fishery management by all member states involved in the fishery.	Each member state to make the rules for its own fleet within a fishery should attempt to co-ordinate their actions with those of the member states which are also involved in the fishery
Discards	Supports a phased introduction of discards ban with this commencing initially for pelagic species in 2014 and as a result, by 2019 there would be a discard ban in place for all species subject to catch limits – this does not cover all fish however as not all are subject to catch limits  Approach to be supported by mechanisms such as selective fishing and practice which avoid unwanted catches	Introduction of a discards ban would not be phased but would rather apply for all species within a fishery from a particular date.
Sustainable fisheries management	Focus on managing fishing exploitation at levels which produce Maximum Sustainable Yield by 2015 where possible, and for all stocks by 2020	Focus on setting fish mortality (fish killed in a year) rates by 2015 which should allow fish stocks to recover to levels above MSY by 2020  Could be characterised as setting a biomass focussed approach

Table 2: Key areas of difference between Parliament and Council on CFP reform package<sup>2</sup>

Whilst progress is being made on resolving these differences and agreeing compromise proposals there is still a long way to go, and negotiations have the potential to be protracted.

<sup>1</sup> [The main events in the reform so far, CFP reform watch website, 16th April 2013](#)

<sup>2</sup> [Revised 3-column table concerning the Proposal for a Regulation of the European Parliament and of the Council on the Common Fisheries Policy - 2011/0195 \(COD\), 5th March 2013](#)

It should also be noted that trilogue meetings have yet to commence on the 3<sup>rd</sup> legislative package, namely the European Maritime and Fisheries Fund (EMFF). This delay is due to the fact that the Parliament has yet to adopt a final position through plenary vote on the EMFF. At present this vote is scheduled to occur in September 2013, a situation which makes it next to impossible for the CFP reform package to be fully agreed during the Irish Presidency of the Council, which expires at the end of June.