

# CFP Reform 2002

ANALYSIS OF EU FISHERIES POLICY REFORM PROPOSALS AND COMMUNICATIONS



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## ACTION PLAN TO INTEGRATE ENVIRONMENTAL PROTECTION REQUIREMENTS INTO THE CFP (COM(2002)186)

### Introduction

Article 6 of the EC Treaty requires environmental considerations to be integrated into the definition and implementation of Community policies, as a means of delivering sustainable development. In order to put Article 6 into effect, the European Council (or Summit) in Luxembourg in 1997 asked the Commission to prepare a strategy on environmental integration. At the Cardiff Summit in 1998, the Commission's ideas were developed into practical requirements for the Council: all relevant Council formations were invited to establish strategies for giving effect to integration and sustainable development within their respective policy areas. This effectively marked the start of the so-called 'Cardiff Integration Process'.

At Cardiff and subsequently at Helsinki (December 1999), Councils were asked to monitor progress and to identify indicators. Work was to be concluded by June 2001, with comprehensive reports to be submitted and 'with the possibility of including a timetable for further measures and a set of indicators for these sectors.' This was to be followed by their immediate implementation as well as by regular evaluation, follow-up and monitoring.

At Gothenburg in June 2001, noting the incomplete nature of the sector strategies, the Council was invited to finalise and further develop the sector, and to present the results of this work before the Spring Summit in Barcelona in 2002.

### *Progress on the Fisheries Integration Strategy*

The Fisheries Council was in 1999 included among the list of Councils specifically asked to develop strategies. An initial report outlining progress to date was submitted to the Santa Maria de Feira Summit in June 2000. This was followed by a more prospective report agreed by the Fisheries Council on 25 April 2001. The 2001 report stopped short of developing a full strategy, including timetables and indicators. However, it did contain a set of general objectives, accompanied by short and medium term objectives. The Commission was also invited to come forward with concrete proposals on environmental integration within the framework of the CFP review.

In addition to the main CFP reform proposals, the Commission's new Action Plan is a response to this request.

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## **The Commission's Integration Action Plan**

The stated purpose of the Action Plan is to set out objectives and principles, means, targets and timetables to enable the CFP to address the environmental challenges in an efficient manner. In so doing, the Plan builds on previous Commission reports on environmental integration, notably a 1999 Communication on nature conservation and fisheries management, a 2001 Communication on elements of an integration strategy, and a further 2001 Communication on a biodiversity action plan for fisheries.

### ***Guiding principles***

The Action Plan commences by identifying a set of guiding principles on which environmental integration is based. These are that the CFP:

- contributes to the achievement of the environmental objectives of the EC Treaty (Article 174);
- is based on the principles of precaution, prevention, rectification at source and the polluter pays;
- aims at the progressive implementation of an ecosystem-based management, as far as scientific knowledge permits; and
- applies the same level of commitment to these principles in the EU's own fisheries management decisions as at international level.

### ***Priority and complementary measures***

The bulk of the Action Plan consists of a list of 'priority' measures to be pursued over the coming years. These include (see also Annex):

- introducing multi-annual management plans - where possible targeting fishing activities having adverse effects on fish stocks and on the favourable conservation status of non-commercial species and habitats;
- improving fishing methods – the Commission is planning to devise an Action Plan on discards, with new technical measures to be agreed by the end of 2003. It also commits to proposals to protect cetaceans (by 2003), to close areas to bottom trawls or similar gear (by 2005) and proposals to implement FAO action plans on sharks and sea birds (by 2004);
- eliminating public aid for building vessels, and for most forms of modernisation projects.

The Plan also refers to implementation of the fisheries biodiversity action plan by the end of 1006. It suggests that financial incentives (under the EU Structural Funds) may be developed in support of integration. Scientific advice is to be strengthened, covering both EU and non-EU waters. Finally, the Commission is



also to adopt (by 2004) a Community strategy for distant water fisheries to contribute to sustainable fishing outside Community waters.

Environmental concerns are also to be integrated into the aquaculture sector, with a legal framework to be adopted by the end of 2003 and implementing legislation to be finalised before the end of 2005.

In addition, the plan specifies a number of more general, but nevertheless important, 'complimentary' measures that are to be pursued. This includes work within the new 6th Research Programme, analysing the potential use of the precautionary principle, and the polluter pays principle, and increasing information and awareness raising efforts.

### ***Monitoring, evaluation and review***

The integration process is to be monitored on the basis of indicators. These are to be developed initially on the basis of consultation with the Scientific, Technical and Economic Committee on Fisheries to define an initial set of indicators. The Commission intends to design an experimental monitoring system based on such indicators, to become operational during 2003. The system will be used as the basis for a 2005 report on the environmental performance of the CFP.

Within the 6<sup>th</sup> Framework Programme, Member States are also invited to support work on the monitoring system, with a view to developing a more comprehensive system including benchmarks and indicators of driving forces, pressures, state, impact and response (DPSIR).

The Commission is to consider in 2005 whether a revision of the actions, targets and deadlines is necessary.

### **Conclusions**

The Action Plan presents a set of clear objectives, measures and timetables for furthering environmental integration within the Common Fisheries Policy. It includes explicit commitments on a number of fronts, notably in order to reduce discarding and bycatch levels, as well as impacts of fishing on marine habitats. These and other measures seek to build on the more general provisions contained in the proposed framework regulation (COM(2002)185) and the other proposals. In evaluating the Plan, therefore, it is important that the whole package is seen as one.

The Plan also includes new commitments to developing a monitoring system, eventually to include 'DPSIR' indicators. In process terms at least, this is the most innovative aspect. It will be important that experience in developing similar monitoring systems, notably for the transport sector, is used to inform work for fisheries.

**ANNEX**

Management measures	Targets and associated timetables	Observations
Reduction of overall fishing pressure	New legislation comprising 1) the general framework for the management of fishing capacity, and 2) specific legislation to reduce fishing effort on fisheries subject to emergency measures, recovery plans or multi-annual management programmes, to be adopted before end of 2002.	Specific reduction targets and mechanisms shall be set up, for fleet segments or by fishery, in implementing legislation.  Reduction of fishing pressure is in any case required to ensure sustainability of commercial stocks but at the same time is essential for environmental integration.
Improve fishing methods to reduce discards, incidental by-catch and impact on the sea bed.	New set of technical measures specifically addressing discard reduction before 31 December 2003.	This may include the setting of discard bans.
	New set of technical conservation measures designed to reduce by-catch of cetaceans to levels guaranteeing favourable conservation status of cetacean populations, before 31 December 2002	Both by-catch and population sizes to be estimated on the basis of scientific advice.
	Designation of protected areas where bottom trawls and similar towed gear operating on the bottom are prohibited before 31 December 2004.	Some of these measures may be taken in the context of Natura 2000 sites.
	Implement Community Action Plans to manage sharks and protect seabirds in the context of FAO IPOAs <i>Propose</i> legislation before end of 2003.	
Eliminate public aid for modernisation	Amendment to Regulation 2792/1999 to be adopted before end of 2002.	
Defend objectives and principles in international fora	Present proposals specifically designed to protect non-commercial species and habitats in each Regional Fisheries Organisations where EC is a member.	As a first step, the EC initiatives to protect sharks should be promoted within ICCAT
Implement the Biodiversity Action Plan for Fisheries (BAPF).	Achieve full implementation of all the actions specified in the BAPF by 31 December 2006.	Progress will be concomitant with development of scientific knowledge
Measures adding value to environmental integration (Articles 13 to 15 and 17 of Regulation (EC) No 2792/1999)	The Commission will consult, for the first time before the end of 2003, the European-level organisations defined in Article 8 of Regulation (EC) No 1260/1999 and other relevant stakeholders, such as the Regional Advisory Councils on possible measures	Examples: litter projects, re-stocking, contribution to environmental monitoring. .
Principles and guidelines for integration in the sector of aquaculture	Legal framework adopted before the end of 2003. Implementing legislation finalised before end of 2005.	
Strategy for distant water fisheries	Adoption before end of 2003.	
Further fulfilment of Habitats and Birds Directives	Natura 2000 sites at sea and associated management measures to be completed before end of 2004.	
	Monitoring of populations of marine species of Annex IV of Directive 92/43/EEC. Aim at full monitoring and complete report to Commission for the first time before end of 2003, without prejudice to the existing legal obligations.	This is an obligation for Member States in accordance with Article 12(4) of Directive 92/43



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Better understanding of marine ecosystems	Specific target to ensure, by 2004, Community participation in all scientific fora dealing with the structure and functioning of marine ecosystems. The Commission shall specify this item among the fields of work eligible for Community funding.	
Development of operational procedures to apply principles of precaution, prevention, rectification at source and polluter pays to fisheries.	Permanent task, in collaboration with scientific fora and Regional Fisheries Organisations. As intermediate target, the Commission will present a progress report by the end of 2004	
Pilot projects on the collection of basic information on the effects of fishing and aquaculture on the environment	Based on these studies, the Commission shall review, before 31 December 2003, whether it is appropriate to extend the obligations set up by Council Regulation (EC) No 1543/2000, in order to cover the relationship between fisheries and aquaculture with the environment	Target and deadlines already existing (Article 10 of Regulation (EC) No 1543/2000
Use of trade measures to promote environmental integration	Implementation as measures are adopted at international fora.	Effectiveness of trade measures requires international decisions.
Debate on eco-labels	Following presentation of a Communication by the Commission, Council shall issue conclusions before end of 2003.	
Indicators of environmental integration	Pilot system in place during 2003. First report by the Commission before the end of 2005. Comprehensive indicator scheme before the end of 2006.	

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