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setting out a Community Action Plan to integrate environmental protection requirements into the Common Fisheries Policy

TABLE OF CONTENTS

1.	Introduction.....	3
2.	Objective.....	3
3.	Guiding Principles.....	3
4.	Priority measures.....	4
5.	Complementary measures.....	5
6.	Monitoring.....	6
7.	Consultation.....	6
8.	Targets and timetables (Work Programme).....	6
9.	Review.....	6
	ANNEX.....	7

1. INTRODUCTION

Integration of environmental protection requirements into Community policies is an obligation under Article 6 of the Treaty. This document responds to the invitation to the Commission, made by the Fisheries Council in the context of its conclusions of 25 April 2001 on the integration of environmental concerns and sustainable development into the Common Fisheries Policy, to present concrete proposals on environmental integration within the framework of reform of the CFP.

On the basis of an analysis of the existing situation and the international debate on responsible fishing¹, the Commission has already set out its ideas on environmental integration in a number of policy documents². The purpose of this document is to translate such ideas into an Action Plan comprising objectives and principles, means, targets and timetables to enable the Common Fisheries Policy (CFP) to address environmental challenges efficiently. In elaborating this Action Plan, the Commission has taken into account the conclusions of the Council and of the European Parliament and also the opinion of the Advisory Committee on Fisheries Management and the Scientific, Technical and Economic Committee on Fisheries on the above-mentioned policy documents.

2. OBJECTIVE

The objective of this Action Plan is to integrate environmental protection requirements into the CFP by defining guiding principles, management measures and a work programme, with a view to promoting sustainable development.

3. GUIDING PRINCIPLES

Environmental integration in the CFP is based on the following principles:

- the CFP contributes to the achievement of the environmental objectives set out in Article 174 of the EC Treaty, without prejudice to its economic and social objectives;
- the CFP is based on the principles of precaution, prevention, rectification at source and the polluter pays;
- the CFP aims at a progressive implementation of an ecosystem-based approach, to the extent permitted by scientific knowledge;
- the Community maintains the same level of commitment to these principles in its own fisheries management decisions and at the international level.

¹ As illustrated by the discussions which led to the Code of Conduct for Responsible Fishing.

² COM(1999)363 (nature conservation and fisheries management), COM(2001)143 (Elements for an integration strategy), COM(2001)162 (BAP)

4. PRIORITY MEASURES

Management action within the CFP aimed at the integration of environmental protection requirements should give the highest priority to:

- within the framework of multi-annual management plans, a reduction in fishing pressure on fishing grounds to sustainable levels; where possible, and on the basis of scientific advice, this reduction should target fishing activities having adverse effects both on the sustainability of fish stocks and on the favourable conservation status of non-commercial species and habitats;
- an improvement of fishing methods with a view to reducing discards, incidental by-catch and impact on habitats. In the coming months, the Commission shall devise an Action Plan on discards and appropriate proposals to protect sharks, cetaceans and sea birds from adverse effects of fishing.
- the elimination of public aid for the modernisation or renewal of the fishing fleet except for aid to improve safety or product quality not likely to increase fishing capacity.

In addition, the CFP should address the following issues:

- the measures set out in the Biodiversity Action Plan for Fisheries³ and not specifically mentioned in this communication; special attention should be given to the setting up of long-term management plans for the most important and the most vulnerable fish stocks, the identification of key habitats and biotopes, the setting up of temporal and spatial closures including “no take zones” and the development of guidelines for Best Fishing Practice;
- measures to stimulate fishing practices adding value to environmental integration, as set out in Articles 13 to 15 and 17 of Regulation (EC) No 2792/1999 laying down the detailed rules and arrangements regarding Community structural assistance in the fisheries sector. To achieve this, Member States and the Commission should collaborate in the framework of the partnership envisaged in Article 8 of Regulation 1260/99 laying down general provisions on the Structural Funds;
- the improvement of scientific assessment of the state of fish stocks, both in Community and non-Community waters;
- the integration of environmental policy concerns into the aquaculture sector;
- the adoption of a Community strategy for distant water fisheries to contribute to sustainable fishing outside Community waters through global and bilateral partnership at national and/or regional level.

As a complement to the above-mentioned priority management actions within the CFP, Member States should endeavour to fulfil, within the shortest deadlines, their obligations concerning the nature protection Directives⁴, especially those regarding the designation and

³ COM(2001)164, vol. IV

⁴ Directive 79/409/EEC on the conservation of wild birds and Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora.

management of marine areas forming part of the Nature 2000 framework. Whenever the fulfilment of these obligations requires fishery management measures, the Commission should be informed. It will then examine whether it is appropriate to present proposals to the Council.

5. COMPLEMENTARY MEASURES

In order to reinforce the process of integration and accelerate its implementation, the following actions should be undertaken:

- within the 6th Framework Programme for Community research, the Commission will aim to stimulate the better understanding of the marine ecosystems with a view to a progressive implementation of an ecosystem-based approach to fisheries management;
- the Commission will extend management measures to the protection of non-commercial species and habitats from the effects of fishing and aquaculture activities, and study the operational requirements of a full application of the precautionary principle to all aspects of the CFP implying environmental risks;
- the Commission will analyse the consequences of the application of the principles of prevention, rectification at source and polluter-pays in the field of fisheries and aquaculture;
- within the provisions set out in Article 10 of Regulation (EC) No 1543/2000 establishing a Community framework for the collection and management of the data needed to conduct the CFP, and in support to the obligations emanating from the conservation requirements under Directives 79/409/EEC and 92/43/EEC, Member States should initiate studies and pilot projects regarding the collection of basic information on the relationships of capture fisheries and aquaculture with the environment;
- the Commission and Member States should collaborate closely to progress in implementing programmes for integrated coastal zone management as a tool to deal with the complex and sensitive aspects of sustainable development in coastal areas;
- within their programmes of dissemination of information and awareness raising, the Commission and Member States should pay special attention to keeping stakeholders and the wider public well informed about the situation of fisheries and aquaculture in the marine ecosystem and the rationale, implementation and results of Community measures in the field of environmental integration;
- the Commission will consider the use of trade measures compatible with the Community's obligations within the WTO to promote sustainable and environmentally-sound fishing practices. Measures adopted in international fora, whether or not binding on the EU, will be examined with a view to their implementation by the Community;
- Member States and the Commission will consider the potential for eco-labels to stimulate environmentally sound fishing practices;

- whenever human activities not covered by the CFP are proven to have a harmful impact on the marine environment likely to result in decreased productivity and fish yields or in the quality and fitness of catches or aquaculture production, the Commission and Member States should call the attention of the appropriate authorities to the problem with a view to remedial action.

6. MONITORING AND EVALUATION

The process of integration of environmental protection requirements within the CFP should be monitored by means of a system based on indicators. In order to implement such a system,

- as a first step, the Commission will consult the Scientific, Technical and Economic Committee for Fisheries on the possibility to define, on an experimental basis, and taking into account the progress achieved by relevant bodies, preliminary indicators of the environmental performance of fisheries management. On the basis of STECF advice, the Commission will design an experimental monitoring system based on such indicators, to become operational during 2003;
- on the basis of that experimental monitoring system, the Commission will submit to the Council and the European Parliament before 31 December 2005 a report on the environmental performance of the CFP;
- within the sixth research framework programme, and in close collaboration with research bodies and environmental agencies, Member States are invited to stimulate the study of the performance of the above-mentioned monitoring system to deliver relevant information for the CFP, with a view to its development towards a more comprehensive monitoring system including benchmarks and indicators of driving forces, pressure, state, impact and response (DPSIR).

7. CONSULTATION

Any decisions taken in the context of environmental integration should include the widest possible consultation with stakeholders at the earliest stages of the decision-taking process, especially in the framework of the Advisory Committee for Fisheries and Aquaculture (ACFA) and, where relevant, the Regional Advisory Councils.

8. TARGETS AND TIMETABLES (WORK PROGRAMME)

Implementation of this Action Plan should be carried out as outlined in the Annex.

9. REVIEW

In its reports in 2005, the Commission will consider whether a revision of the actions, targets and deadlines set out above is necessary.

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

Management measures	Targets and associated timetables	Observations
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.	