



Reforming the Common Fisheries Policy (CFP)

Fish do not recognise frontiers, so sustainable exploitation of the resources of the sea requires joint management. The EU is also a major market for fisheries and aquaculture products. A set of proposals to reform the essentials of the EU Common Fisheries Policy are now being negotiated by the EU institutions.

The role of the EU in fisheries

The CFP not only covers fishing activities, but also aquaculture (the farming of fish, shellfish or algae) and the processing and marketing of fishery and aquaculture products. The first Community rules on a common market organisation (CMO) in the fisheries sector as well as a structural policy for fisheries appeared in the 1970's. The first overall Regulation on the conservation and management of fisheries resources was agreed in 1983. Today, the EU fisheries management framework is laid down by Council [Regulation \(EC\) No 2371/2002](#) (the CFP 'basic Regulation').

The Treaties (Art. 3 and 4 TFEU) provide the Union with exclusive competence concerning "the conservation of marine biological resources under the CFP". Other fisheries areas fall under shared competence. Since the Lisbon Treaty, the ordinary legislative procedure also applies to almost all fisheries decisions (Art. 43 TFEU), making the EP co-legislator on CFP reform. However, some competences, notably "for fixing and allocating fishing opportunities" (e.g. annual catch quotas) remain with the Council.

The CFP reform package

The Commission initiated the CFP review process to address some major long-lasting deficiencies, such as over-fishing and the weak economic situation of parts of the fishing fleet. The [CFP reform package](#) includes an overarching [Commission communication](#) to present the reform as well as:

- a proposal for a [new CFP 'basic Regulation'](#),
- a proposal for a [new CMO Regulation](#),
- a proposal for a [new funding instrument](#),
- a Commission communication on the [external dimension](#) of the CFP, and

- a [report](#) on the operation of some chapters of the present CFP 'basic Regulation'.

The proposal for the new CFP 'basic Regulation' foresees, for example, to aim at [maximum sustainable yield](#) (the largest catch that can be taken from a fish stock over an indefinite period without harming it) by 2015. It would ban the [discarding](#) of catch back into the sea, as part of the conservation measures, and introduce [transferable fishing concessions](#) in the management of large, and possibly also of [small-scale](#), fisheries. It would set the science base and the fisheries governance mechanisms for EU and [regionalised](#) approaches.

The proposal for a new single CMO Regulation envisages in particular more empowerment of [producer organisations](#) in production and marketing planning, to encourage sustainable practices. It would also establish new labelling requirements for better consumer information (e.g. date of catch) and set up a market intelligence instrument ([market observatory](#)).

The proposal for the new European Maritime and Fisheries Fund aims at providing the EU and the Member States with financial means to underpin the CFP reform objectives.

The interinstitutional debate

In June 2012, the [Council](#) reached political agreement on a [general approach](#) for the major principles to be set under the reformed CFP basic Regulation and the new CMO.

In September 2012, the EP will debate the Commission report on the operation of the current CFP basic Regulation ([2011/2291\(INI\)](#)), the overarching communication on CFP reform ([2011/2290\(INI\)](#)) and the proposed future CMO Regulation ([2011/0194\(COD\)](#)). Discussions on the other legislative ([2011/0195\(COD\)](#); [2011/0380\(COD\)](#)) and non-legislative ([2011/2318\(INI\)](#)) elements of the CFP reform will follow. However, [divergent views](#) between the EP and the Council on their legislative powers, notably within the context of fish-stock recovery plans, may overlap with the CFP reform negotiations as such multiannual plans are a key element in the CFP reform.