Common fisheries policy
State of play

SUMMARY

In the EU, marine fisheries – the core of the common fisheries policy (CFP) – fall under one of the few areas of exclusive competence. This means that the EU legislates on marine fisheries through regulations that are directly binding on EU Member States. Since its creation in 1983, the CFP has been reformed three times. Most recently, in 2013, a major reform sought to achieve sustainable exploitation of all stocks by 2020, using a scientific indicator. The tools introduced to support this goal include the management of stocks by fishery and sea basin through multiannual plans and the phasing in of a landing obligation to reduce discards of unwanted catches.

Ten years on, it is time to take stock. In February 2023, the Commission presented a ‘fisheries and ocean’ package, including an implementation report assessing the functioning of the CFP Regulation (a legal obligation). The report highlights the positive results achieved since the 2013 reform – in particular, the recovery of certain fish stocks – and does not propose any further reform, arguing that the CFP provides all the tools for sustainable fisheries management. However, it does highlight areas for improved implementation, such as attracting young people, adopting a broader ecosystem approach and introducing more innovation. The package also includes action plans for decarbonising the sector and reconciling environmental and fisheries policies.

The European Parliament has adopted a number of resolutions setting out its views on various aspects of EU fisheries policy, and the Committee on Fisheries is currently preparing an own-initiative report on the CFP. In the draft report, the rapporteur identifies several areas where the CFP may need to be adapted, for example by taking into account the specificities of each fishery with regard to the landing obligation. Other issues raised (including in the resolutions) include a clearer definition of the small-scale fleet segment, more flexibility in the permitted capacity of vessels (if working conditions on board are improved or engines are replaced with energy-efficient ones) and consideration of an EU co-management framework (i.e. a collaborative approach to fisheries management with local stakeholders). These and other issues, as well as the question of whether the CFP needs further reform, will certainly shape the debate in the next term.
Introduction

EU powers

Marine ecosystems transcend national boundaries and require cooperation between countries to ensure sustainable exploitation. Managing fisheries at EU level rather than at national level can therefore achieve better conservation and management of fish stocks.

Since the Lisbon Treaty of 2009, the conservation of marine biological resources is one of the few exclusive competences of the EU (Article 3 TFEU). This implies that the EU legislates on marine fisheries (i.e. catches at sea) through regulations that are directly binding on EU Member States. The CFP also covers aquaculture, inland fishing and the processing of fishery products, for which it shares competence with the Member States (Article 4 TFEU). This means that both the EU and the Member States regulate them in line with the subsidiarity principle. In the case of aquaculture, for example, the EU issues guidelines to tackle the most common obstacles.

The Lisbon Treaty also strengthened the role of the European Parliament in fisheries policy, moving from an advisory to a decision-making role, with the standard co-decision procedure with the Council for most fisheries legislation. The exceptions are the setting of catch limits, which remains the responsibility of the Council (Article 43(3) TFEU), and the conclusion of fisheries agreements with third countries or other international agreements (e.g. on ocean governance), which are negotiated by the Commission and concluded by the Council with the consent of the European Parliament (Article 218 TFEU).

The sector in figures

In 2020, the EU produced about 5.1 million tonnes of seafood: 3.9 million landed by some 56 000 EU fishing vessels and 1.2 million tonnes produced on EU fish farms (aquaculture). Including fish processing and distribution, the entire EU sector employs around 540 000 people. However, the EU’s self-sufficiency in fisheries products is quite low: domestic production covers only 39% of the EU’s human consumption. This makes the EU the world’s largest importer of fishery products.

The North-East Atlantic (including waters along the Atlantic coast, the North Sea and the Baltic Sea) is the EU’s main fishing area, accounting for 70% of its catches. The Mediterranean and the Black Sea account for 11% of EU catches. The rest comes from distant regions such as the eastern central Atlantic – where the EU has several sustainable fisheries partnership agreements (SFPAs) with West African countries – and the western Indian Ocean, the EU’s main tuna fishing ground.

Spain is the EU’s largest fishing nation, accounting for about one fifth of all EU catches by weight, followed by Denmark and France. Based on catch value, Spain also comes first, followed by France and Italy. Atlantic herring is the most landed species by weight and European hake by value. In aquaculture, Spain has the largest production in terms of weight and France the largest in terms of value. The most important aquaculture species (by weight) are Gilthead seabream in marine aquaculture, Rainbow trout in freshwater aquaculture and mussel in shellfish production.

The CFP and its successive reforms

Origins of the EU’s fisheries policy

Fisheries have been part of EU policy since the Treaty of Rome established the European Economic Community in 1958. However, it was not until 1970 that an EU fisheries policy, separate from agricultural policy, emerged with two key regulations: one establishing a common organisation of the market (CMO) in fishery products and the other providing structural aid to the sector.

At the same time, a fundamental principle was established, namely that Community fishers should have equal access to the marine waters of all Member States. However, this principle was given a
10-year derogation in 1973, with the accession of the United Kingdom, Ireland and Denmark (not by coincidence, countries with a major interest in fisheries). The derogation provided that Member States had the right to reserve access to their territorial waters (up to 12 nautical miles) to vessels from their own local fleet and from Member States that traditionally fished in those waters.

The principle of equal access really took off in 1977. Member States then expanded their fishing zones along the Atlantic and North Sea by declaring a 200 nautical mile exclusive economic zone (EEZ), in line with the international trend at the time. This huge expansion, combined with the principle of equal access, meant that these new ‘Community waters’ were open to fishers from all Member States. It was therefore necessary to manage these common fishing grounds.

The common fisheries policy

After 6 years of negotiations, a first regulation on a ‘Community system for the conservation and management of fishery resources’ was adopted in 1983 (considered the birth of the CFP). It introduced a system of total allowable catches (TACs) to limit the catch of commercially important fish stocks. These fishing opportunities are distributed among Member States in the form of quotas, based on fixed percentage allocations designed to provide a degree of stability for Member States (referred to as relative stability). The derogation on equal access to territorial waters, which expired at the end of 1982, was extended for another 10 years and has since been renewed every 10 years: three times as part of a reform (in 1992, 2002 and 2013) and only the last time – in 2022 – outside the context of a reform. A scientific and technical committee, now known as STECF, was set up to provide advice (e.g. on the biological state of stocks).

In addition to the TACs and quotas, the conservation and management system introduced technical measures, laid down in a separate regulation. For example, the establishment of zones where fishing is prohibited or restricted to certain periods, types of vessel and/or fishing gear, and the setting of standards for fishing gear and of minimum sizes of fish allowed to be caught.

In the wake of the establishment of the CFP, a first EU fisheries control regulation was introduced in 1982 to ensure compliance with the system. It laid down rules for the inspection of vessels and the use of fishing gear, and required Member States to report their catches.

Figure 1 – Major milestones of the common fisheries policy

Reforms of 1992 and 2002

The 1992 reform resulted in a second basic CFP Regulation, primarily aimed at consolidation. However, there was a growing awareness of the huge problem of fleet overcapacity.¹ As in earlier years, the proposed solution was to decommission vessels with financial compensation from the structural fund, but with gradually more ambitious fleet reduction targets. The regulation also

¹
defined the concept of **fishing effort** of a vessel – and by extension of the fleet segment to which it belongs – as the product of fishing capacity and fishing activity. This led to the introduction of fishing effort management. For example, where it was not appropriate to set limit catches, the exploitation rate could also be regulated by limiting the days at sea for a certain fleet segment. The reform also introduced a more effective **licensing system** for all vessels.

These measures have not been sufficient to halt overfishing and the 2002 reform introduced a long-term approach to fisheries management, including the adoption of **multi-annual recovery plans** for stocks ‘outside safe biological limits’. The **new basic regulation** allowed the Commission to take **emergency measures** if needed, while aid for construction of **new vessels** was discontinued. The reform also introduced stakeholder consultation bodies (advisory councils, composed of representatives of the fishing industry, academia, environmental groups, etc.).

Also in 2002, the Commission presented an **action plan** to combat illegal, unreported and unregulated (IUU) fishing, following growing international awareness of the scale of the problem. This eventually led to the **adoption** of the renowned **IUU Regulation** (Regulation 1005/2008), the main objective of which is to prevent the import of IUU products into the EU.

**The 2013 reform**

The **latest reform** – the most ambitious since the creation of the CFP – aimed for long-term environmental, economic and social sustainability. The new CFP Regulation (Regulation 1380/2013) was adopted in December 2013, together with a new CMO Regulation (Regulation 1379/2013). In May 2014, **Regulation 508/2014** establishing the European Maritime and Fisheries Fund for 2014-2020 was adopted as the last piece of the initial reform package.

The most important milestone was the target of achieving sustainable exploitation of all stocks by 2020, using a globally recognised scientific indicator: the **maximum sustainable yield** (**MSY**). It means that the fish stocks should be restored and maintained above the level that can produce the MSY, which is the highest amount of fish that can be taken from a stock without compromising its reproduction. Several instruments have been introduced to support this objective, one of which is the management of stocks through **multiannual management plans**. These plans define the framework for long-term management of stocks by fishery and sea basin and include quantifiable targets (such as fishing mortality rates and spawning stock biomass), and safeguards to ensure these targets are met. The reform also introduced regionalisation of decision-making, allowing measures to be adopted at sea basin level on the basis of joint recommendations from the Member States concerned. Another key element was the introduction of the **landing obligation**, aimed at ending the practice of **discarding unwanted catches**.

The CMO Regulation aimed to strengthen the link between production and the market by giving the fishing sector more responsibility for managing its supply. It moved away from market intervention and instead focused on **production and marketing plans** of recognised producer organisations. Another aim was to improve labelling, so that consumers could make better choices when buying fish. Current requirements go beyond those for other food products and include the commercial name of the species and where it was caught or farmed.

The legislative term following the 2013 CFP reform (2014-2019) was mainly a period of implementing the reform, with the adoption of the following regulations in particular:

- **Multiannual plans**
  - Although not all EU fisheries are covered by multiannual plans, such plans have been adopted in each of the major sea basins for a number of priority stocks:
    - Regulation 2016/1139 on **cod, herring and sprat fisheries in the Baltic Sea**;
    - Regulation 2018/973 on **demersal fisheries in the North Sea**;
    - Regulation 2019/472 on **demersal fisheries in the Western Waters** (an area along the Atlantic coast of the EU);
Common fisheries policy

- Regulation 2019/1022 on demersal fisheries in the western Mediterranean;
- A multiannual plan on small pelagic fish stocks in the Adriatic Sea was withdrawn by the Commission. However, it was (partly) adopted by an international organisation: the General Fisheries Commission for the Mediterranean (GFCM), of which the EU and coastal states are members. Since then, the GFCM has already adopted a total of 10 multiannual plans in the Mediterranean and the Black Sea.

- **Landing obligation**
  The landing obligation was phased in from 2015 to 2019 and applies to all species subject to catch limits or minimum sizes for fishing. The Commission determines the implementation details through delegated acts (and is empowered to do so based on the multiannual plans or on joint recommendations by groups of Member States). The resulting discard plans contain details such as the maximum amounts of fish that can be discarded and exemptions for species with high survival rates.

- **Technical measures**
  The new regulation on technical measures (Regulation 2019/1241) contributes to key objectives of the reformed CFP, such as facilitating regionalised approaches, contributing to the MSY target and the gradual elimination of discards. It also provided for a total ban on the controversial electric pulse trawl fishing.

- **Fishing authorisations for the external fleet**
  In line with the requirements of the reform, the EU has revised its system for managing authorisations for EU vessels fishing outside EU waters (known as the external fleet). The new system (Regulation 2017/2403, adopted in December 2017) improves the monitoring and transparency of this fleet.

### Main achievements over the past 5 years

In its annual communication on the state of the EU fisheries, the Commission reviews progress towards MSY. In the North-East Atlantic, although the target has not been met for all stocks, good progress has been made, with an average exploitation rate in line with MSY. An area of concern is the Baltic Sea, where the ecosystem is suffering from multiple pressures, including pollution, low salinity, climate change and nutrient inputs. As a result, fisheries for some Baltic stocks had to be closed and the co-legislators agreed on measures to provide support for the scrapping of vessels. In the Mediterranean and Black Seas, while there is a trend towards less overfishing, most of the stocks are still overfished. Achieving and maintaining MSY is therefore an ongoing concern.

The most important file of the ninth legislature was the revision of the fisheries control system, the last major component to be dealt with after the 2013 CFP reform. Agreement on this file was reached on 30 May 2023. Some of the agreed changes include the tracking of all fishing vessels, the electronic reporting of all catches, the monitoring of recreational fisheries, the improvement of traceability along the supply chain, the harmonisation of sanctions across the EU and the monitoring of the landing obligation through on-board cameras.

Another important file was the European Maritime, Fisheries and Aquaculture Fund (EMFAF) for the 2021-2027 programming period (Regulation 2021/1139). With a budget of €6 billion, it is the main fund dedicated to the CFP. Aid for investments in vessels, such as the first purchase of a second-hand vessel by young fishers and the modernisation of engines, is allowed for fishing vessels up to 24 metres in length. Preferential aid is also envisaged for the outermost regions, and a greater focus on aquaculture is reflected in its inclusion in the name of the fund.

Fisheries played a prominent role in the Brexit negotiations, and the UK’s withdrawal from the EU has reshaped fisheries relations in the North-East Atlantic (including with Norway). One of the most notable changes is the transfer of EU fishing quotas to the UK between 2021 and 2025. The Brexit Adjustment Reserve, set up to support businesses affected by Brexit, included a fisheries-related allocation of €600 million, taking into account Member States' dependence on UK waters.
Unfortunately, other disruptive events occurred, notably the coronavirus crisis (where the seafood sector was hit hard by measures such as restaurant closures) and Russia's war on Ukraine (which led to high peaks in marine diesel prices). The EU responded with specific support measures for both the effects of COVID and Russia's war on Ukraine.

With its updated agenda on international ocean governance, the EU aims to play a role in shaping global ocean governance. Recent landmark agreements include the WTO agreement to ban harmful fisheries subsidies and the UN high seas treaty to protect marine biodiversity in areas beyond national jurisdiction. The external dimension of the CFP accounted for more than half of the fisheries procedures. Most of these concern the conclusion of SFPAs (or their implementing protocols) with third countries and the transposition of measures adopted by regional fisheries management organisations (RFMOs, organisations that regulate fisheries on the high seas).

Future perspectives

The fisheries and oceans package

As noted above, the CFP has been reformed three times, along with a 10-year extension of the equal access derogation. The specific access regime, which was due to expire again at the end of 2022, was extended for the first time outside the context of a reform. However, the Commission did issue an implementation report on both the CFP Regulation and the CMO Regulation (a legal obligation). They were published on 21 February 2023 as part of a ‘fisheries and oceans’ package. In addition to the implementation reports, the package included action plans in the light of the European Green Deal. In total, five documents outline the present and future of EU fisheries policy:

- the implementation report assessing the functioning of the CFP Regulation and an accompanying staff working document,
- the implementation report assessing the functioning of the CMO Regulation,
- and two ‘action plans’, one on the energy transition of the EU fisheries and aquaculture sector (the energy transition initiative) and one on reconciling marine protection and fisheries (the marine action plan).

The marine action plan, in particular, has generated much debate. With this action plan, the Commission aims to achieve a more coherent implementation of EU environmental and fisheries policies, while contributing to the objective of protecting 30% of EU marine waters by 2030 (as set out in the EU biodiversity strategy 2030). To this end, it proposes a list of actions – to be implemented either by the Commission or the Member States – aimed at making fishing practices more sustainable by improving the selectivity of fishing gear, reducing catches of vulnerable species and reducing the impact of fishing on the seabed. With regard to the actions addressed to the Member States, the Commission refers to Article 11 of the CFP Regulation (‘conservation measures necessary for compliance with obligations under Union environmental legislation’), as it establishes a link between fisheries and environmental policy. In line with the concept of regionalisation, this article allows Member States to make joint recommendations for conservation measures – as part of fisheries management – in their sea basins. Under the most controversial measure, the Commission calls on Member States to ban bottom fishing in marine protected areas by 2030.

The energy transition initiative outlines two directions of change: increasing energy efficiency in the short to medium term, and a gradual shift from fossil fuels to renewable and low-carbon energy sources. To steer the whole process, on 16 June 2023 the Commission launched an energy transition partnership, involving all stakeholders. Additionally, the Commission's Joint Research Centre released a tool to assess the impact of possible fuel prices on the economic performance of the fishing sector (such as value added and profit). At the policy level, a recurring issue is the definition of capacity in the CFP, in particular the fleet capacity ceilings that apply. New technologies typically require more weight than conventional engines, which would increase the capacity of a vessel and
could lead to the ceiling being exceeded. As a solution, the Commission refers to the possibility of redistributing the available (inactive) capacity in the Member States' fleets.

On the CMO Regulation, the Commission takes stock of the changes following the 2013 reform. It considers its implementation a success, although some shortcomings are noted (e.g. on the recognition of transnational producer organisations). With regard to consumer information, the report highlights the benefits of product sustainability labelling (eco-labels), which is currently voluntary. A forthcoming horizontal sustainable food systems initiative (covering all food products) would allow for a harmonised EU approach.

The 2023 CFP implementation report

The primary focus of this publication is to present the main elements of the 2023 implementation report on the CFP (and the accompanying staff working document). In preparing the report, the Commission undertook a lengthy consultation process, including an online stakeholder consultation and a call for evidence, as well as taking into account resolutions of the European Parliament, recommendations from advisory councils and the work of scientific bodies (such as the STECF).\(^5\)

The report highlights the many positive results since the 2013 reform, including the rebuilding of critical fish stocks. As an overall conclusion, the report considers the 2013 CFP Regulation fit for purpose, with environmental, social and economic sustainability, effective regional cooperation and science-based decision-making as its cornerstones. The report therefore does not propose a reform of the CFP, as the Commission considers that it already provides all the necessary tools for sustainable fisheries management. Instead, it identifies some areas for improvement in implementation. Eight of these are described in more detail below, together with some recent developments.

- On the socio-economic side, there is a growing awareness of the importance of the social dimension, which in many fishing communities often outweighs the direct economic contribution. Of particular concern is the ageing workforce and gender balance. In order to attract new people to the sector, the reports list a number of conditions, such as high safety standards and working conditions on board, and the acquisition of skills (including digital skills). The report highlights possible support from the EMFAF, including for training, start-up grants and community-led local development (CLLD projects). To accelerate generational renewal, the Commission announced its intention to launch an EU-wide participatory project, 'Fishers of the Future', to identify the trends, opportunities and threats that determine the attractiveness of the fishing sector. It would, for example, explore possible synergies with other blue economy sectors. A first STECF report on social data was available at the time of the implementation report and a second STECF report has since been published in June 2023. This work of the STECF on social indicators would also help to better integrate the social dimension when proposing fisheries management measures.

- In the international context, as for other sectors, the EU would continue to promote decent work conditions in the various multilateral and bilateral fora (including RFMOs and SFPAs). The main international instrument on work in fishing is the Work in Fishing Convention C188 of the International Labour Organization (ILO), which was transposed into EU law via Directive 2017/159. The Commission is currently assessing whether Member States have correctly transposed the directive into their national law. Annex 3 of the staff working document lists the Member States' ratification status for this convention, as well as of two other conventions.\(^6\)

- In setting fishing opportunities, the report proposes moving further beyond traditional single-species fisheries management (the basis for annual fishing opportunities) to much broader ecosystem-based management.\(^7\) It would need to
look beyond the dynamics of the target stock and even predator-prey relationships, to include, for example, the effects of pollution, climate change and other maritime activities. This would set the path towards setting (more) multi-annual TACs. It also means that a number of challenges need to be addressed, particularly to improve the advice process, the knowledge base and the decision-making process (including stakeholder involvement). The Commission would help to move towards an ecosystem approach by steering the dialogue with the scientific community and stakeholders.

On the allocation of quotas within Member States, Article 17 of the CFP Regulation requires Member States to apply transparent and objective criteria, including environmental, social and economic criteria. However, implementation to date has been limited (see box). The Commission therefore announced a vademecum to improve the transparency of the national criteria, which should promote sustainable fishing practices and benefit small-scale coastal fisheries. In response to a written question from the Parliament, Commissioner Sinkevičius mentioned that advice from STECF is expected by the end of 2023, which would serve as a basis for discussions with Member States and stakeholders. Based on the outcome, the Commission would then prepare the vademecum, which may also include best practices to support the energy transition of EU fisheries towards climate neutrality.

### Allocation of national quotas within Member States

The Council decides on the total fishing opportunities and the quota for Member States, while the Member States decide on the internal distribution of their quota. However, the basic CFP Regulation contains two articles related to the national allocation:

Article 17 of the CFP Regulation provides that Member States, when allocating fishing opportunities, shall use transparent and objective criteria (including those of an environmental nature) and shall endeavour to provide incentives to fishing vessels deploying selective fishing gear or using fishing techniques with reduced environmental impact.

Article 16(6) refers to the duty to report on them.

The staff working document accompanying the report on the implementation of the CFP describes the current situation and notes that there is a wide variety of methods, with some Member States using only transferable fishing concessions and others using a mixed system of concessions and criteria-based allocations. The most frequently reported criterion used was historical catches. Many systems use a vessel size criterion to allocate fishing opportunities between large-scale and small-scale fleets. Some Member States apply environmental criteria, mainly related to the type of fishing gear.

In the online consultation, two-thirds of the stakeholders reported that they did not think that Member States implemented Article 16 and 17 in a satisfactory manner (question 12 in the survey report).

In its second report on social data, STECF analysed the types of criteria used by Member States according to the latest 2022 survey. It found that many of the allocations of fishing opportunities described in the national responses ‘do not consider social, economic or environmental criteria as laid down in Article 17’.

On the landing obligation, the report notes that its gradual introduction was intended to speed up the transition to greater selectivity in order to avoid unwanted catches altogether. However, its implementation has proved difficult. A 2021 study showed that significant undocumented discarding continued and the latest STECF report (June 2023) on the landing obligation concluded that it is apparent ‘that there is little obvious change in fishing practices to avoid unwanted catches’, with exemptions principally used ‘to maintain the fisheries status quo rather than as a last
resort to cover small, residual unwanted catches’. The Commission is planning a separate **evaluation** of the landing obligation and invited Member States, the scientific community, the advisory councils and producer organisations to provide the data needed for this evaluation by the spring of 2024.

- As regards **regionalisation of decision-making**, and in line with the marine action plan, the Commission calls on Member States to speed up their efforts and increase their ambition in submitting joint recommendations for regional **conservation measures** (under Article 11 of the CFP). This would require Member States to allocate adequate resources and better involve stakeholders (including the regional advisory councils). As noted in the staff working document, five delegated regulations under Article 11 are currently in force, covering area-specific measures for different sea basins, such as restrictions on the use of certain fishing gear.

- The current **capacity ceilings** of the Member States’ fishing fleets are mostly higher than the actual capacity of their active fleets. In terms of gross tonnage and engine power, an EU average of, respectively, **24 %** and **16 %** of the available capacity ceilings is not used, although with large differences between Member States (see Figure 2). As noted above on the **energy transition initiative**, the Commission says that Member States may use these margins, where needed, to facilitate the decarbonisation of the fleet. For **outermost regions**, the Commission acknowledges their specific situation and the need to invest in new vessels where needed in order bring the fleets into balance with the fishing opportunities available.

Figure 2 – Share of actual and remaining capacity out of Member States’ fishing fleets’ total allowed capacity (in terms of tonnage and engine power)

Source: Statistics from the [EU Fleet Register](data as of 1 September 2023, excluding outermost regions).
Throughout the report, the Commission emphasises the need for innovation (e.g. in terms of energy efficiency, gear selectivity, more effective control, reduction of administrative burden, etc.). In addition to the EMFAF, the Horizon Europe research framework programme – particularly its mission ‘Restore our ocean and waters by 2030’ – funds innovative projects in the sector. In May 2023, the Commission published a portfolio of 841 innovation projects with a total EU contribution of more than €4 billion, financed by 16 different EU funds (including under the previous programming period of 2014-2020). Twenty projects already launched under this mission by January 2023 are included in the portfolio.

On aquaculture, the Commission announced the publication of four guidance documents by 2024 as part of the implementation of its 2021 guidelines for EU aquaculture. They will cover ‘good governance’, ‘access to space’, ‘environmental performance’ and ‘climate change mitigation’. As in the 2021 guidelines, the Commission reiterates its call to support and promote aquaculture with a lower environmental footprint (such as low-trophic, multi-trophic or algae farming).

In conclusion, the Commission invites Member States, stakeholders and the scientific community to join a ‘Fisheries and Oceans Pact’ to contribute to the above reflection and assessment of certain elements of the current CFP. It should lead to full compliance with existing rules, greater transparency in decision-making, improved governance and a forward-looking approach (both in terms of the socio-economic dimension and innovation).

Position of the European Parliament

In recent years, Parliament has adopted a number of resolutions setting out its views on various aspects of EU fisheries, with the following resolutions in particular affecting CFP implementation.

In a resolution of January 2021 entitled ‘More fish in the seas? Measures to promote stock recovery above the maximum sustainable yield (MSY), including fish recovery areas and marine protected areas’, Parliament stressed the need to fully implement the CFP to restore and maintain stocks above MSY levels. The resolution called for improved scientific coverage and an ecosystem approach, including multi-species management. It also called on the Commission to consider the relevance of using indicators other than MSY, taking into account species interactions and the impact of climate change and pollution. The resolution also called on the Commission to support plans to improve selectivity and the survival of non-target species, and to move towards low-impact fisheries.

Parliament also set out its position in a May 2021 resolution on the landing obligation. It highlighted the continuing concerns of the fishing industry and scientists about challenges such as ‘choke species’ (i.e. species for which, once the quota is reached, fishers may need to stop fishing entirely to prevent the risk of by-catching them while targeting other species). It identified solutions such as defining exemptions from the landing obligation (as is currently done in the discard plans) and quota swapping and pooling (allowing more flexibility in quota allocation and use). The resolution called on the Commission to assess whether the policy is fit for purpose and to consider the feasibility of adapting the obligation on a case-by-case basis (by fishery and/or stock).

In a September 2021 resolution entitled ‘Fishers for the future: Attracting a new generation of workers to the fishing industry and generating employment in coastal communities’, Parliament stressed a number of points in support of generational renewal (such as better collection of social data, the need to improve working and living conditions on board, the need for better training and its recognition at EU level, and promotion of professional fishing).

Resolutions adopted by the Parliament in June and October 2000 dealt, respectively, with fisheries in the Black Sea and the Mediterranean. In both resolutions, Parliament highlighted the worrying state of the environment and the need to improve data collection and to further strengthen cooperation between all coastal states within the GFCM. Parliament urged Mediterranean Member
States to establish an additional number of fisheries restricted areas to protect overexploited marine ecosystems, citing the Jabuka/Pomo Pit fisheries restricted area as an example of best practice. However, Parliament also stressed that future measures affecting the sector should be implemented gradually and in accordance with the sector’s capacity to act.

A May 2022 resolution addressed the Commission’s 2021 blue economy strategy, emphasising the fisheries and aquaculture sector’s role. It advocated for coastal communities, especially fishers, to be fully involved in the blue economy’s development. A recent resolution in May 2023 took this further by supporting co-management (a collaborative approach to fisheries management in which responsibilities and decision-making are shared between governments, fishing communities and other stakeholders). Given the differences in practice and legislation between Member States, the Parliament highlighted the lack of specific EU legislation, noting that an EU co-management framework is possible under the current CFP, but has not yet been developed.

The implementation of Article 17 of the CFP Regulation was the subject of a resolution in June 2022. It recalled that Article 17 requires Member States to encourage vessels to use selective fishing gear or fishing techniques with a lower environmental impact, such as less energy consumption or less damage to habitats. The resolution also recalled that Member States and producer organisations have, in several countries, created quota reserves, which could be distributed to fishers on the basis of environmental, economic and social criteria.

A January 2023 resolution focused on the situation of small-scale fisheries in the EU and stressed the need for a common, broader and more appropriate definition of small-scale, artisanal and coastal fisheries (not only considering vessel length). It believed that such a definition should be incorporated in a horizontal regulation such as the CFP Regulation. The resolution included various measures to strengthen this sector, such as income diversification and improved operational conditions. Parliament also recommended that the EMFAF should support the acquisition of new vessels in the small-scale fleet, ‘especially in the identified cases where this fleet is of an advanced average age and does not guarantee essential conditions of safety and operability’.

On 17 March 2022, the Committee on Fisheries (PECH) held a public hearing (‘State of play in the implementation of the CFP and future perspectives’) as part of the preparation of its own-initiative (INI) report on the topic (procedure 2021/2169(INI)). The rapporteur, Gabriel Mato (EPP, Spain), published his draft report on 8 November 2022 and it was presented in the PECH meeting of 24 January 2023. More than 450 amendments were tabled.

In his draft report, the rapporteur regrets that the implementation of the reformed CFP primarily focused on the environmental aspect ‘at the expense of socioeconomic and food security considerations’. Regarding the landing obligation, the draft report reiterates the view expressed in the previous resolution, namely that it should be applied in a flexible manner and that its scope should be reviewed in order to limit the problem of ‘choke’ species. The rapporteur insists that the objective of minimising unwanted catches should instead be achieved primarily through technical measures.

On fishing opportunities, the draft report notes that single stock TACs are problematic in mixed fisheries (also due to the ‘choke’ effect). It calls on the Commission to provide a comprehensive assessment of the present relative stability and of possible scenarios for adaptation (e.g. following the impact of climate change on the distribution of fish stocks).

On the topic of fleet capacity, the draft report suggests omitting ‘social and safety’ related tonnage from the capacity definition. On regionalisation, the draft report deplores the inadequate monitoring of advisory council advice in decision-making.

The rapporteur also believes the CFP overlooks outermost regions’ needs. The draft report calls for a programme of options specifically relating to the remoteness and insularity for fisheries and aquaculture – similar to that for agriculture (‘POSEI’) – and for the renewal of the artisanal fleets in these regions.
The Commission presented the fisheries and ocean package to the PECH committee on 1 March 2023. In reaction, a majority of MEPs said they were in favour of a reform, while others stressed the need to strengthen implementation. In response, the Commission stated that, although it was not proposing a reform, the question of a possible reform remains open and that, after the discussion on the focus of implementation and the evaluation of the landing obligation, it might be a good time to consider whether changes are needed.

A vote on the INI report is scheduled for the PECH meeting of 24 October 2023.

**MAIN REFERENCES**


**ENDNOTES**

1. Fishing capacity refers to the ability to catch fish and is measured in terms of the gross tonnage (GT) of a vessel, and the propulsive power of its engines (kilowatt - kW).

2. Which the Commission can then translate into EU law through delegated acts.

3. The Commission could not agree with Parliament's position, as the amendments proposed to ‘distort the proposal in a manner which prevents achievement of the objectives’.

4. As provided by Article 49 of the CFP and Article 48 of the CMO Regulation, respectively.

5. For a synopsis of all consultation activities, see Annex 1 of the staff working document.


7. The International Council for the Exploration of the Sea (ICES) – a global intergovernmental science organisation that provides independent advice on fisheries resources and the marine ecosystem – already takes into account ecosystem factors in its scientific advice. It provides, for example, *ecosystem overviews* for a list of sea basins.

8. Multi-annual TACS are already implemented for certain *deep-sea stocks* (set for 2 years).

9. Quota swaps between two parties (often between Member States) occur when one party transfers part of its quota for one species to the other party in exchange for a quota for another species. Quota pooling occurs when the quotas of several fishing companies are grouped (e.g. through a producer organisation) and allocated based on need.

**DISCLAIMER AND COPYRIGHT**

This document is prepared for, and addressed to, the Members and staff of the European Parliament as background material to assist them in their parliamentary work. The content of the document is the sole responsibility of its author(s) and any opinions expressed herein should not be taken to represent an official position of the Parliament.

Reproduction and translation for non-commercial purposes are authorised, provided the source is acknowledged and the European Parliament is given prior notice and sent a copy.


Photo credits: © Daylight Photo / Adobe Stock.

*epprs@ep.europa.eu* (contact)

*www.eprs.ep.parl.union.eu* (intranet)

*www.europarl.europa.eu/thinktank* (internet)

*http://epthinktank.eu* (blog)