External dimension of the common fisheries policy

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The Council adopted conclusions on a communication from the Commission on the external dimension of the common fisheries policy (CFP).

The Council held a policy debate on this issue in November 2011, during which ministers considered the priorities to be taken on board. On this occasion a number of ministers supported the Presidency suggestion of adopting new Council conclusions reinforcing the existing ones.

These conclusions stress the following:

-the need to promote a more sustainable fisheries policy in both its external and internal dimensions;

the fight against illegal, unreported and unregulated (IUU) fishing needs to be reinforced by building partnerships with other main fishing nations;

-Compliance with management measures at the level of regional fisheries management organisations needs more follow-up, governance within these organisations needs to be strengthened, and overcapacity problems need to be addressed at a global level;

-sustainable exploitation levels through access agreements with third countries require transparency regarding the activity of all fleets that were given access, as well as scientific assessments on the surplus of stocks, involving assessments at the regional level where stocks migrate across borders. Payments for access need to provide for adequate economic returns, and financial development assistance needs to be closely monitored in terms of delivering on objectives, including the benefit to the local population, and decoupled from the provisions on access;

- ensure a **level playing field** - where stocks of common interest are shared with third countries - emphasising the need for joint management initiatives and, if necessary, taking EU measures in response to failures by third countries, in accordance with international law, in order to guarantee the effectiveness of conservation efforts.

Bilateral fisheries agreements involving financial compensation: the Council supports concluding and maintaining bilateral fisheries agreements involving financial compensation for the mutual benefit of the Union and partner countries. In the context of the bilateral relations it has with third coastal states which involve financial compensations, the Union must:

- contribute towards resource conservation and environmental sustainability through **rational and sustainable exploitation of living marine resources** of the coastal state, in particular by directing fisheries exclusively at surplus resources and preventing the overfishing of stocks;
- seek to achieve terms for agreements concerning living marine resources that provide for **adequate economic returns**;
- promote the **respect of human rights and democratic principles** that should constitute essential elements of entering into bilateral agreements;
- facilitate the **integration of developing coastal states into the global economy**, inter alia by promoting fair conditions of employment for the employees of the sector and by encouraging the creation of a secure environment that is favourable to private investment;
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- foster **better global governance of fisheries**, in particular by contributing to the capacity building of coastal States;
- promote **strategies for the sustainable management of fisheries** as defined by the coastal state and in accordance with its capacity to absorb financial assistance.

The Council considers that the **continuous policy dialogue** held with coastal states must be consolidated by a **binding instrument** which lays down the rights and obligations of the Parties and of stakeholders on both sides in the form of Fisheries Partnership Agreements ("FPA"), notably by defining: i) the fishing opportunities accessible to Union operators; ii) action to ensure that an adequate contribution from the financial envelope is made to assist the scientific and technical development of fisheries in the coastal state in question, as well as to assist the transfer of technology for the monitoring, control and surveillance in areas under the coastal state's jurisdiction; and iii) actions to improve the business environment in the coastal state(s).

For each agreement, the Commission should:

- carry out **ex-ante and ex-post evaluation** so that an assessment can take place not only of the environmental, economic and social impact of a partnership agreement, but also the opportunities which sustainable development of the fisheries sector provides and of the requirements of establishing responsible fishing for the concerned coastal state;
- set up with its partners a **bilateral scientific committee** to advise on sustainable fishing
- possibilities within FPAs for stocks other than those of highly migratory fish;
- **decouple the financial contribution** for sector support from payments for fisheries access rights and seek to introduce stronger conditionality for the provision of financial contributions, so that payments would be linked to progress delivery;
- make sure that these financial contributions are deployed according to the **budgetary procedures of the coastal state** and, regarding sectoral support, monitored in accordance with guidelines developed by the Commission and shared with the Member States;
- ensure that the FPA is **permanently monitored** and report periodically on its implementation in the light of relevant indicators elaborated by the Commission;
- **avoid interruption of fishing activities** after the expiry of an agreement or the protocol thereto, inter alia by including, if deemed appropriate, a clause of provisional application.

Bilateral and multilateral fisheries agreements on joint management of shared stocks, exchange of fishing opportunities and reciprocal access: in the framework of its bilateral and multilateral fisheries relations with its neighbouring countries, in particular the Northern states, on joint management of shared stocks, exchange of fishing opportunities and reciprocal access as an integral part of relative stability, the Union must:

- base cooperation on the **principle of equitable and mutual benefit**, seeking to achieve inter alia sustainable management and a balanced exchange of fishing opportunities that provide for adequate economic returns for the Union, based on the best available scientific advice, on the traditional fishing patterns and utilisation of fishing opportunities exchanged in the past;
- contribute to and cooperate on resource conservation and environmental sustainability through taking conservation measures based on the best available scientific advice in mutual agreement for jointly managed stocks, and after consultation and in a non-discriminatory fashion for stocks which are of common interest.