Rules relating to the European Maritime and Fisheries Fund by reason of the withdrawal of the United Kingdom from the Union

2019/0009(COD) - 23/01/2019 - Legislative proposal

PURPOSE: to mitigate the impacts that a Brexit without an agreement would have on fisheries at EU level.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: a withdrawal agreement was concluded between the Union and the United Kingdom and endorsed by the European Council (Article 50) on 25 November 2018. However, its ratification in the United Kingdom is uncertain. This proposal is part of a package of emergency measures proposed by the Commission to deal with a possible withdrawal from the European Union without the United Kingdom's agreement.

When the Common Fisheries Policy ceases to apply to the United Kingdom, the United Kingdom waters (12 nautical miles territorial sea and adjacent exclusive economic zone) will no longer be part of the Union waters. Consequently, in case of a disorderly withdrawal, Union vessels risk losing access to these waters and fishing opportunities therein as of 30 March 2019. This would have significant impact in terms of fishing activities of the Union fleet and economic returns.

The overall dependency of 8 Member States on United Kingdom waters averages 14 % of their overall landings, ranging from 50 % for the Belgium fleet to around 1 % for Spain. At the local community level the socio-economic impact can be significant, where fishing vessels are particularly dependent on access to United Kingdom waters. The fisheries sector also links up to ancillary activities upstream and downstream.

Measures are already available under Regulation (EU) No 508/2014 of the European Parliament and of the Council8 that can be used for mitigating the adverse economic effects due to the withdrawal of the United Kingdom from the Union throughout the whole chain of production and marketing.

Under shared management, Member States affected by the withdrawal of the United Kingdom from the European Union may decide to redirect available appropriations to any necessary measure mitigating its consequences. However, this discretion is currently limited to some priorities.

Regulation (EU) No 508/2014 lays down the rules and arrangements for granting financial compensation to fishermen and owners of fishing vessels in cases of temporary cessation of fishing activities. The criteria to allow for temporary cessation do not allow for compensation due to the withdrawal of a Member State from the Union and the subsequent loss of access to and fishing opportunities within the waters of that State.

In addition to the measures already available under Regulation (EU) No 508/2014, the adverse economic effects caused by the withdrawal of a Member State from the Union, public support for the temporary cessation of fishing activities should be available for fishermen and operators that have significant dependence on access to United Kingdom waters.

CONTENT: the proposed act would amend Union Regulation (EU) No 508/2014, so as to provide financial mitigation measures Union vessels impacted by a possible closure of the United Kingdom waters due to the withdrawal of the United Kingdom from the European Union.

In concrete terms, the proposal aims to allow fishermen and operators from EU Member States to receive compensation from the European Maritime and Fisheries Fund (EMFF) for the temporary cessation of fishing activities.

The Regulation should enter into force as a matter of urgency and apply from the date following the date on which the Treaties cease to apply to the United Kingdom and its territory.

Alongside this measure to amend the European Maritime and Fisheries Fund, the Commission is proposing a measure on the sustainable management of external fishing fleets.

BUDGETARY IMPLICATIONS: the proposed modification does not imply any changes in the multiannual financial framework, annual ceilings, or for commitments and payments as per Annex I of Regulation (EU) No 1311/2013. The proposal consists of the frontloading of payment appropriations and is budgetary-neutral over the programming period.