Basic information

2011/2318(INI) INI - Own-initiative procedure	Procedure completed
External dimension of the common fisheries policy **Subject** 3.15 Fisheries policy 3.15.15 Fisheries agreements and cooperation	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
PECH Fisheries	LÖVIN Isabella (Verts/ALE)	26/09/2011
	Shadow rapporteur MATO Gabriel (PPE) IOTOVA Iliana (S&D) TORVALDS Nils (ALDE) ROSBACH Anna (ECR)	

Committee for opinion	Rapporteur for opinion	Appointed
DEVE Development	PONGA Maurice (PPE)	07/11/2011
INTA International Trade	ANDRÉS BAREA Josefa (S&D)	25/01/2012
ENVI Environment, Public Health and Food Safety	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
Agriculture and Fisheries	3155	2012-03-19

European Commission

Commission DG	Commissioner
Maritime Affairs and Fisheries	DAMANAKI Maria

Key events

Date	Event	Reference	Summary
13/07/2011	Non-legislative basic document published	COM(2011)0424	Summary
19/01/2012	Committee referral announced in Parliament		
19/03/2012	Resolution/conclusions adopted by Council		Summary
19/09/2012	Vote in committee		
27/09/2012	Committee report tabled for plenary	A7-0290/2012	Summary
21/11/2012	Debate in Parliament		
22/11/2012	Decision by Parliament	T7-0461/2012	Summary
22/11/2012	Results of vote in Parliament		
22/11/2012	End of procedure in Parliament		

Technical information

Procedure reference	2011/2318(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Initiative
Legal basis	Rules of Procedure EP 55
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	PECH/7/07309

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE483.652	14/03/2012	
Committee opinion	DEVE	PE480.555	28/03/2012	
Committee opinion	INTA	PE478.683	26/04/2012	
Amendments tabled in committee		PE489.341	08/05/2012	
Committee report tabled for plenary, single reading		A7-0290/2012	27/09/2012	Summary
Text adopted by Parliament, single reading		T7-0461/2012	22/11/2012	Summary

European Commission

Document type	Reference	Date	Summary
	COM(2011)0424		

Non-legislative basic document		13/07/2011	Summary

National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	LU_CHAMBER	COM(2011)0424	18/10/2011	
Contribution	SE_PARLIAMENT	COM(2011)0424	02/12/2011	
Contribution	DE_BUNDESRAT	COM(2011)0424	14/02/2012	
Contribution	IT_CHAMBER	COM(2011)0424	14/08/2012	

External dimension of the common fisheries policy

2011/2318(INI) - 27/09/2012 - Committee report tabled for plenary, single reading

The Committee on Fisheries adopted an own-initiative report by Isabella LÖVIN (Greens/EFA, SE) on the external dimension of the Common Fisheries Policy in response to the Commission Communication on this subject.

The Members welcome the Commission's Communication and the many positive proposals it includes for encouraging the sustainability of the EU's overall fishing and related activities outside EU waters, including the outermost regions. They consider, however, that the scope of the document is not broad enough, being too concentrated on bilateral agreements and multilateral organisations and that it should take an integrated approach to other activities seeking to procure products destined for the EU market.

The report underlines that the **maintenance of the present fishing agreements and the search for new fishing opportunities in third countries** must be a priority objective of external fishing policy. The Commission is urged to:

- to support clearly defined principles and objectives for environmentally, economically and socially**sustainable fisheries** on the high seas and in waters under national jurisdiction at all international forumsto which the EU is a party,and to rapidly and effectively implement decisions made there;
- **to drive forward the global and multilateral agenda promoting sustainable fisheries and the conservation of marine biodiversity**, while transforming its dialogues with countries such as the USA, Japan, Russia and China and other third countries with a strong fishing presence in the world's oceans, into **effective partnerships** to address crucial issues such as the eradication of illegal, unreported and unregulated (IUU) fishing, the reduction of both over-fishing and fleet capacity where necessary, and the strengthening of high seas control and governance in line with the principles of UNCLOS and other relevant instruments;
- **to promote international law**, notably UNCLOS and participation in ILO conventions and to monitor compliance with these rules.

The Members believe that the EU should **launch an initiative at UN level** to set up a global catch and traceability documentation scheme for all major fish species that enter international trade, founded on the principle of Flag State responsibility and compatible with the IUU regulation, as a key tool to strengthen compliance with existing conservation and management measures and combat IUU fishing so as to promote responsible consumption.
Overall, the Members consider that the **EU should be active within the UN system** to explore means for the global community to address:

- the need for more regionalised and integrated global ocean governance, regarding both living marine resources and other resources,
- pollution and the impacts of climate change on the oceans, including the protection and rehabilitation of precious blue carbon sinks, and
- social standards and working conditions;

Bilateral Fisheries Agreements: the Members consider that bilateral fisheries agreements, or Sustainable Fisheries Agreements (SFA) as the Commission proposes to call them, negotiated between partners and equitably implemented, should be based on responsible and sustainable exploitation of resources by EU vessels and be of benefit to both parties, facilitating the provision of economic resources, technical and scientific expertise and support for improved fisheries management and good governance. The report calls for the EU to aim at concluding, as soon as possible, Sustainable Fisheries Cooperation Agreements with neighbouring countries where the EU provides funding and technical support in order to achieve a more concerted and coherent policy, with the aim of achieving a more harmonised and sustainable fisheries policy.
Members take the view that the **clause on human rights** must be implemented without discrimination and must apply equally to all countries, not only to fishing agreements but also to trade agreements. Otherwise, they consider that the currently used **social clause** should be strengthened to include respect for International Labour Organisation (ILO) Convention 188, ILO Recommendation 199 on work in fishing, as well as the eight ILO Fundamental Conventions, and ensure that working conditions for crew members domiciled outside the EU and working on board vessels flying an EU flag should be equal to those of workers domiciled in the EU.

They are convinced that **full transparency on catches, payments and implementation of sectoral support** will be an indispensable tool for developing responsible and sustainable fishing based on good governance, the fight against the improper use of EU support and against corruption. They emphasise the need to **improve transparency** both during the **negotiation and the lifetime of the Fisheries Agreements**, on behalf of both the EU and third countries.

Regional Fisheries Management Organisations (RFMOs): the Members urge the EU to take the **lead in strengthening RFMOs** in order to improve their performance, including through regular reviews by independent bodies of the extent to which they achieve their objectives, and to ensure that the recommendations made in such reviews are rapidly and fully implemented.

The EU is called on to work to ensure that all RFMOs have an **effective compliance committee**, and believes that proven cases of lack of compliance by states must lead to dissuasive, proportionate and non-discriminatory sanctions, including reductions in quotas, effort, capacity allowed, etc.

The Members take the view that the Union must **coordinate its fisheries and development policies better** and engage in systematic, long-term and in-depth dialogues and partnerships with other flag, market and coastal states in order to achieve improved fisheries management and food security worldwide.

The Commission is urged to:

- **allocate greater funding** to the RFMOs, since they have a crucial role to play in combating illegal, undeclared and unregulated fishing;
- take the lead to promote the creation of a comprehensive **network of coverage of RFMOs** so that all high seas fisheries are effectively managed with the ecosystem and precautionary approaches that foster the conservation of resources.

Other Aspects of the External Dimension: the Members believe that even though the external activities of EU businesses may exceed the external dimension of the common fisheries policy, trade activities and the **private agreements between EU shipowners and third countries**, including those conducted under the framework of bilateral cooperation policies, must be legitimately respected and protected as long as they are conducted within the framework of international law.

They believe that Member States should continue to provide information on private agreements between EU shipowners and third countries, as well as on joint ventures in third countries, including the number and type of vessels operating under such agreements and joint ventures, as well as their catches. This information should continue tobe made **publicly available**, subject to individual and commercial data protection rules, as laid down by the Fishing Authorisations Regulation.

External dimension of the common fisheries policy

2011/2318(INI) - 22/11/2012 - Text adopted by Parliament, single reading

The European Parliament adopted by 450 votes to 11, with 19 abstentions, a resolution on the external dimension of the Common Fisheries Policy in response to the Commission Communication on this subject.

Members insist on the need for the EU to work on the basis that Union **policy coherence converges on improving the governance of international fishing** . They welcome the Commission’s Communication and the many positive proposals it includes for encouraging the sustainability of the EU’s overall fishing and related activities outside EU waters, including the outermost regions. They consider, however, that the scope of the document is not broad enough, being too concentrated on bilateral agreements and multilateral organisations and that it should take an integrated approach to other activities seeking to procure products destined for the EU market.

Members consider that the size of the EU market for fisheries products and the geographical range of activities by EU-flagged and EU-owned vessels impose **a high level of responsibility on the Union for ensuring that its fisheries' ecological footprint and socio-economic impact are sustainable**, providing high quality fisheries products to consumers in Europe. Members believe that fishing by EU interests inside and outside Union waters, and fishery products destined for the EU market, should be based upon the **same standards in terms of ecological and social sustainability and transparency**, and that these same principles must be defended and required of third countries, both bilaterally and multilaterally.

The resolution underlines that the **maintenance of the present fishing agreements and the search for new fishing opportunities in third countries** must be a priority objective of external fishing policy. It recognises that when the EU fleet ceases to operate in the fisheries of a third country, such fishing rights are normally redistributed among other fleets that have much lower standards of conservation, management and sustainability than those advocated and defended by the EU.

The Commission is urged to:

- to support clearly defined principles and objectives for environmentally, economically and sociallysustainable fisheries on the high seas and in waters under national jurisdiction at all international forumsto which the EU is a party,and to rapidly and effectively implement decisions made there;
- to drive forward the global and multilateral agenda promoting sustainable fisheries and the conservation of marine biodiversity, while transforming its dialogues with countries such as the USA, Japan, Russia and China and other third countries with a strong fishing presence in the world’s oceans, into effective partnerships to address crucial issues such as the eradication of illegal, unreported and unregulated (IUU) fishing, the reduction of both over-fishing and fleet capacity where necessary, and the strengthening of high seas control and governance in line with the principles of UNCLOS and other relevant instruments;
- to promote international law, notably UNCLOS and participation in ILO conventions and to monitor compliance with these rules.

Parliament believes that the EU should **launch an initiative at UN level to set up a global catch and traceability documentation scheme** for all major fish species that enter international trade, founded on the principle of Flag State responsibility and compatible with the IUU regulation, as a key tool to strengthen compliance with existing conservation and management measures and combat IUU fishing so as to promote responsible consumption.

Overall, the Members consider that the EU should be active within the UN system to explore means for the global community to address:

- the need for more regionalised and integrated global ocean governance, regarding both living marine resources and other resources,
- pollution and the impacts of climate change on the oceans, including the protection and rehabilitation of precious blue carbon sinks, and
- social standards and working conditions.

Bilateral Fisheries Agreements: Parliament considers that bilateral fisheries agreements, or Sustainable Fisheries Agreements (SFA) as the Commission proposes to call them, negotiated between partners and equitably implemented, should be based on responsible and sustainable exploitation of resources by EU vessels and be **of benefit to both parties**, facilitating the provision of economic resources, technical and scientific expertise and support for improved fisheries management and good governance.

The resolution welcomes the intention of the Commission to include several provisions in future bilateral agreements, including: respect for the principle of limiting access to resources that are scientifically demonstrated to be surplus for the coastal State in line with the provisions of UNCLOS; **safeguarding human rights** in line with international agreements on human rights; and an exclusivity clause, though this must be strengthened and formally recognised through agreements, ensuring in all cases the strictest respect for democratic principles.

Members take the view that the **clause on human rights** must be implemented without discrimination and must apply equally to all countries, not only to fishing agreements but also to trade agreements. Otherwise, they consider that the currently used **social clause** should be strengthened to include respect for International Labour Organisation (ILO) Convention 188, ILO Recommendation 199 on work in fishing, as well as the eight ILO Fundamental Conventions, and ensure that working conditions for crew members domiciled outside the EU and working on board vessels flying an EU flag should be equal to those of workers domiciled in the EU.

Parliament is convinced that **full transparency on catches, payments and implementation of sectoral support** will be an indispensable tool for developing responsible and sustainable fishing based on good governance, the fight against the improper use of EU support and against corruption. It emphasises the need to **improve transparency both during the negotiation** and the lifetime of the Fisheries Agreements, on behalf of both the EU and third countries. **Parliament should be adequately involved** in the preparation and negotiating process and the long-term monitoring and assessment of the functioning of bilateral agreements according to the provisions of the Treaty on the Functioning of the EU.

The resolution suggests that bilateral conventions should be introduced to encourage Union fisheries investments in **countries where at present there are no association agreements**, because there are no excess fishing opportunities, and to contribute as a result towards sustainable fishing. In this context, coordination between European development funding and the funding of bilateral agreements should be a top priority.

Regional Fisheries Management Organisations (RFMOs): Parliament urges the EU to **take the lead** in strengthening RFMOs in order to improve their performance, including through regular reviews by independent bodies of the extent to which they achieve their objectives, and to ensure that the recommendations made in such reviews are rapidly and fully implemented.

The EU is called on to work to ensure that all RFMOs have an effective compliance committee, and believes that proven cases of lack of compliance by states must lead to dissuasive, proportionate and non-discriminatory **sanctions**, including reductions in quotas, effort, capacity allowed, etc.

Parliament takes the view that the Union must **coordinate its fisheries and development policies better and engage in systematic, long-term and in-depth dialogues and partnerships** with other flag, market and coastal states in order to achieve improved fisheries management and food security worldwide.

The Commission is urged to:

- **allocate greater funding** to the RFMOs, since they have a crucial role to play in combating illegal, undeclared and unregulated fishing;
- take the lead to promote the creation of a comprehensive network of coverage of RFMOs so that all high seas fisheries are effectively managed with the ecosystem and precautionary approaches that foster the conservation of resources.

Other Aspects of the External Dimension: Parliament believes that even though the external activities of EU businesses may exceed the external dimension of the common fisheries policy, trade activities and the **private agreements between EU shipowners and third countries,** including those conducted under the framework of bilateral cooperation policies, must be legitimately respected and protected as long as they are conducted within the framework of international law.

Parliament believes that Member States should continue to provide information on private agreements between EU shipowners and third countries, as well as on joint ventures in third countries, including the number and type of vessels operating under such agreements and joint ventures, as well as their catches. **This information should continue to be made publicly available**, subject to individual and commercial data protection rules, as laid down by the Fishing Authorisations Regulation.

External dimension of the common fisheries policy

2011/2318(INI) - 13/07/2011 - Non-legislative basic document

PURPOSE: to present new orientations which govern the external dimension of the reformed Common Fisheries Policy (CFP).

BACKGROUND: the CFP reform aims to ensure sustainable exploitation of marine living resources while working towards robust economic performance, inclusive growth and enhanced cohesion in coastal regions.

The new orientations for the external dimension of reformed CFP intend to **project these principles at the international level and contribute to more responsible international fisheries governance**, delivering sustainable exploitation of fish stocks globally by achieving mortality levels compatible with Maximum Sustainable Yield (MSY) by 2015, while mitigating the impact of fishing activities on the marine ecosystem. This ultimately means a viable future for both European and third-country fishermen alike.

These orientations will also feature greater synergies with the EU's Integrated Maritime Policy (IMP), which will enable the EU to take a more ecosystem-oriented approach to fisheries management as well as to address overarching issues of impact on international fish stocks, such as climate change and pollution.

The EU is one of the very few major players with a strong presence in all of the world's oceans through its fleets and investments, bilateral agreements with third countries and participation in most relevant Regional Fisheries Management Organisations (RFMOs).

It is also a main market for fishery products in terms of consumption and imports. **The EU consumes 11% of the world fishery resources in terms of volume and imports 24% of fishery products in terms of value**. This confers a heavy responsibility on the EU to further engage in the tasks of conservation and sustainable management of international fish stocks. Almost 85% of the world fish stocks for which information is available are reported as being either fully exploited or overexploited, according to the most recent assessment made by the UN Food and Agriculture Organisation1. The EU must strive to reverse

this situation, through swift and bold initiatives.

CONTENT: the Commission believes the new guidelines that will govern the external dimension of the reformed Common Fisheries Policy (CFP) should contribute to the long-term sustainability at international level while improving bilateral relations on fisheries.

Contributing to long-term sustainability worldwide: to ensure sustainable management and conservation of fisheries resources and enhance performance of RFMOs, the EU should seek to:

- **drive forward the global and multilateral agenda promoting sustainable fisheries worldwide** while transforming its dialogues into working partnerships to address crucial issues such as eradication of illegal, unreported and unregulated (IUU) fishing or reduction of overcapacity;
- lead the process of **strengthening the performance of RFMOs** to better enable them to conserve and manage marine living resources under their purview through: delivery of more reliable data and science to underpin the decision-making; increased compliance and control; reduction of capacity to levels commensurate with resources; more effective functioning of the RFMOs through improved decision-making; introduction of fees for access to high seas by the members of the RFMO;
- **better integrate** the fisheries, development, environment, trade and other policies to further advance the objectives of sustainable and responsible governance.

Bilateral fisheries agreements: in order to promote long-term resource conservation, good governance of bilateral fisheries relations, and sustainable development of partner countries' fisheries sector, in future fisheries agreements the EU should:

- base the agreements on the **best available scientific advice** and information on the cumulative fishing effort in the waters concerned;
- conduct scientific audits on multi-species ("mixed") agreements;
- make the **respect of human rights** an essential condition for concluding and maintaining fisheries agreements;
- move towards an increased **contribution of ship-owners to the cost of access rights**;
- ensure that fisheries agreements support **better governance** of the fisheries sector in the partner country, notably in terms of surveillance, inspection and administrative as well as scientific capacity;
- ensure **sound and efficient financial management of sectoral-support funds** under the agreements, and foresee the suspension of payments if results are not obtained.

Some of these elements should already be integrated into transitional agreements negotiated before the adoption of the CFP reform. Once the reform is in place, all negotiations will reflect the new orientations.

Amongst the **main actions proposed**, it is necessary to mention the following:

- a working partnership with key counterparts aiming at development of a common approach against IUU fishing;
- a high-level conference to discuss ways of reducing capacity will be called for by the EU by 2013 to pave the way for a process aimed at addressing overcapacity at a global level;
- to reinforce support for the development of international instruments for the conservation and management of fish stocks in the context of the FAO;
- to encourage the review of RFMOs' performance, aiming at all Organisations completing their first reviews by the end of 2013 and subsequently undertaking them at regular intervals (3 to 5 years);
- to systematically launch scientific audits to assess the stocks before negotiating new protocols to multi species agreements;
- to make a proposal by 2012 to revise the Fishing Authorisations Regulation to simplify the management of fishing authorisations;
- seek to introduce in bilateral agreements provisions to prevent abusive reflagging.

The Commission will:

- develop and implement oceans- and sea-based regional strategies for sustainable fisheries, e.g. in the Pacific and Indian Oceans as well as in the Mediterranean Sea;
- by the end of 2011, adopt a proposal for a legal framework, including trade related measures, to ensure sustainability of fisheries resources.

External dimension of the common fisheries policy

2011/2318(INI) - 19/03/2012

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;
- 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.