



**COUNCIL OF  
THE EUROPEAN UNION**



Brussels, 31 May 2013  
10395/13  
(OR. en)  
PRESSE 229

## **The EU institutions provisionally agree on EU fisheries reform**

The Permanent Representatives Committee today was fully debriefed on the informal agreement reached by the European Parliament, the Council and the Commission on the political outstanding issues concerning the proposal for a regulation on the of common fisheries policy (CFP) replacing the basic provisions of the current CFP. Once the full text will be available, it will return to the Committee and Council for approval.

The regulation on basic provisions of the CFP is one of the three texts of the CFP reform "package" together with the proposals on market regulation and on the European Maritime and Fisheries Fund (EMFF). The proposal's general objective of the CFP reform is to ensure fisheries and aquaculture activities that provide long-term sustainable environmental, economic and social conditions, and contribute to the availability of food supplies.

The main achievements under this agreement are as follows:

- Fishing quotas set will fully respects scientific advice. This will lead to healthy fish stocks and higher quotas as fish stocks are managed at maximum sustainable yield (MSY) levels;
- The discard of fish stocks will no longer be allowed ending the old policy which forced fishermen to waste food by discarding fish at sea. Some limited exemptions ensuring the applicability of the measure have been included.
- Fishermen and other interest groups, as well as national administrations are at the core of developing technical and conservation measures to protect juvenile fish and vulnerable fish species with a completely new regionalised decision making approach.

# **P R E S S**

---

Rue de la Loi 175 B – 1048 BRUSSELS Tel.: +32 (0)2 281 6319 Fax: +32 (0)2 281 8026  
[press.office@consilium.europa.eu](mailto:press.office@consilium.europa.eu) <http://www.consilium.europa.eu/press>

10395/13

1  
**EN**

- Biologically sensitive areas with spawning grounds and high populations of juvenile fish should be developed and strengthened.

The next steps after this agreement will consist in further technical meetings to eliminate discrepancies in the positions that do not need political deliberation, including remaining definitions and recitals. A complete text will be presented later for vote by the European Parliament and adoption by the Council.

The Council, the European Parliament and the Commission agreed in particular on the following points:

MSY (Articles 2(2), 16 (2), 42a, 58b) - Article 2(2) on objectives has been reformulated to progressively introduce  $f_{MSY}$  (based on fishing mortality), to achieve this conservation level by 2015 "where possible" and at the latest by 2020 for all stocks; a reference to desired biomass levels was added as well. A requirement to be consistent with the MSY objectives has also been included in Article 16 (Fishing Opportunities). There is also a new requirement for the Commission to report on an annual basis to Council and the European Parliament on the progress of delivery of MSY (Article 58b). Finally, account is being taken of the difficulty to achieve management at MSY for stocks shared with third countries, introducing particular obligations on the Union to engage with those third parties for the purpose of joint management or complementary exploitation arrangements. Recital 5 accompanying the objective on MSY was reformulated to introduce the  $f_{MSY}$ . A special rule has been included taking account of the difficulty of achieving MSY in mixed fisheries, which will be a focus of multiannual management plans.

Discards/ Obligation to land (Article 15) - The *de minimis* rules have been amended so that the exemption could be applied through management plans based on scientific advice limited to a maximum of 5% of total annual catches of all species subject to an obligation (with a phase-in involving an additional 2% for the first 2 years and 1% for in the subsequent 2 years). In Paragraph 1(ter) a measure has been added which allows for the extension of the landing obligation to other stocks where there is agreement among all member states concerned. In order to ensure a simultaneous application of implementation tools together with the landing obligation, two additional measures are introduced, as secondary measures to a Union multiannual plan: a Commission delegated act containing a specific discard plan based on a regional agreement among member states, and, if this instrument is not successful for lack of time or regional agreement, a Commission delegated act on *de minimis* exemptions, limited to a maximum amount of 5% and subject to fishery-specific conditions. (paragraph 3(b)). These instruments have been added to give reasonable assurance that all implementation instruments, including the *de minimis* rules, are in place once a landing obligation changes the practice of fishing. Withy regard to the introduction calendar of the landing obligation, the starting date for the pelagic fisheries was agreed for beginning of 2015, to take account of the fact that Union legislation on technical measures still needs to be changed for the landing obligation to be implementable.

Fishing opportunities (Article 16) - The amendments relates to a requirement that total allowable catches (TACs) and quotas shall be established consistent with the objectives set down for MSY. A possibility has been added for a revision to fishing opportunities set by Council when scientific evidence on which those opportunities were based changes. An article on criteria for allocating fishing opportunities has also been added.

Fishing capacity management (Articles 34, 34a, 35) - The Articles have been amended to seek to simplify and set down more clearly the obligations of the member states. The responsibility for transmitting action plans to the European Parliament was transferred to the Commission. The cross compliance requirements, linking the obligations for capacity management to the receipt of financial assistance under the European Maritime and Fisheries Fund, have been revised. Commission "guidelines" on overcapacity will have to form the basis for Member States' assessment of overcapacity.

Regionalisation (Article 17) - It introduces a model for regionalisation where Member States prepare Union measures through regional cooperation and where fishermen and other stakeholders are better involved in the decision making process. As an alternative model, Member States will be empowered to adopt implementation measures themselves using the regional process.

Composition of Advisory Councils (Annex III point 2a)- A markets advisory council is established. In addition, the representation of the fishing sector in advisory councils has been slightly reduced to 60%, reflecting the increased importance of other stakeholders for the sustainable management of fisheries at the regional level.

Expert Group on Compliance (Article 46a) - An expert committee will be established to assess, facilitate and strengthen the implementation of the obligations under the EU fisheries control system.

Protected Areas (Article 7a) - The agreement acknowledges the need for further work on protected areas, in particular biologically sensitive areas. The protection shall be based on Union acts, following Member State work to identify suitable areas and prepare those measures through regional coordination. The procedure has been specified in more detail, meaning ordinary legislative procedure or Commission acts if a special empowerment would be granted in a multiannual plan.

---