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IMPLEMENTATION OF NEW COMMON FISHERIES POLICY (C.F.P.)

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1. HISTORICAL REVIEW OF C.F.P. AND NEW OBJECTIVES

1.1 Introduction

The basis for the creation of a C.F.P. arises from Article 39 of the Treaty of Rome; it was called into existence by national governments which reasoned that, through it, the Community as a whole would be better placed to defend its interests in international negotiations and manage the many fish stocks under their jurisdiction.

The Common Fisheries Policy was established in 1983 with the approval of basic Regulation (EEC) No 170/83.

The C.F.P. is one with common rules for all the EC Member States, covering all aspects and stages of the fishing industry from the sea to the consumer.

The present strategy is planned and applied by all those concerned, i.e: institutions, national governments, regional and local authorities, fishermen and fishing organizations.

The fishing industry covers three (3) main sub-sectors :

- a. Fishing fleets. These include all fishing vessels operating in EC waters. For 1993, the total number of vessels is estimated at around 98,950, and for 1991, the Fisheries production of the Member States at about 7 million tonnes.
- b. Aquaculture. This concerns the farming of fish, shellfish and other edible aquatic items. The main species of aquaproducts are : trout, mussels, salmon, oysters, bass and bream, clams, and eels etc. For 1991, aquaculture production is estimated at about 1 million tonnes.
- c. Marketing of fishery products. This concerns all the marketing measures which ensure that the fish reach their ultimate destination, the consumer, in the best possible condition. The basic principles and aims of these measures are stabilisation of the market, the guarantee of a steady supply of quality products, the ensuring of reasonable prices for consumers and support for fishermen's incomes.

1.2 First Period: 1970 - 1982.

During this early phase some general principles and rules were adopted which were aimed at the designation of fishing zones and access to coastal waters, while conservation of stocks still remained a vague and less defined concept.

From 1970, one of the most fundamental trends influencing the C.F.P. was the widespread move by coastal States to extend their fishing zones to 200 nautical miles, under international law. The coastal States that introduced such measures were motivated by the desire to guarantee each country's fishing grounds in the face of dwindling stocks. Only 6 of the Community's Member States declared a similar zone in the North Atlantic from the beginning of 1977.

European Community legislation in the fisheries sector at the beginning of the Seventies covered the following main areas :

- The organization of the common fisheries market adopted by the Council in 1970, based on similar principles to those of the Common Agriculture Policy.
- Structural fisheries policy from 1970 onwards. The aim of financial support to fishermen was to encourage the modernization of the sector and to ensure a better standard of living for them.
- Management and conservation of living marine resources with rules on their use, distribution, and technical measures for their control.
- Agreements with third countries and international organizations so that fishing vessels may operate in waters of third countries, or in some international zones.
- The right of vessels to fish in the waters of another EC country.

In January 1973, when the three new members Denmark, Ireland and the United Kingdom joined the European Community, the importance of the fishing industry agenda became greater because of the major fishing interest of these countries.

The most important development was the suspension of freedom of access to the coastal waters of another country for 10 years and the reservation of bands of coastal waters of 6, and in specific cases 12 miles width, for local fishermen and those who had traditionally fished such waters.

The latter suspension is still applicable, based on Article 6 of the new basic Regulation (EEC) No 3760/92, with duration until 31 December 2002. There is, however, a difference embodied by the extension of the fishing zones from 6 to 12 miles for all Community waters.

Greece joined the EC in 1981.

1.3 Second Period: 1983 - 1991

The year 1983 was a major landmark in the development of the C.F.P. because of two important agreements between Member States :

- (a) For the first time the Member States of the Community agreed upon a system for the conservation and management of fish stocks in EC waters, still however with the exception of the Mediterranean Sea. Within the framework of this conservation system it was agreed that, every year, each fishing Member State would be allocated a fixed percentage of stocks that could be caught.
- (b) In addition, in 1983 the structural policy was applied for the first time where the fishing fleet and aquaculture were concerned. The essential feature of this new approach was the

introduction of measures to harmonize structural policies through multiannual guidance programmes.

In 1985 Greenland left the EC.

In 1986 Spain and Portugal joined the Community; Spain is a country of great importance within the fisheries sector. Thus from then on the number of EC fishermen doubled, the Community fishing capacity increased by 75% and fish production and consumption by 45%.

The total fisheries production of the EC is estimated at about 7 millions tonnes/year, i.e. at 7% of the annual total world production. The total production from aquaculture is about 1 million tonnes/year. The number of EC fishermen was estimated at 290,000 in 1991.

Thus during this second period (1983-91) the application of a C.F.P. became more essential and could be summarized as follows : The EU recognised the overcapacity of its fleet and a conservation policy was designed to provide the maximum protection for stocks suffering from overfishing. The two instruments of C.F.P. application were :

- (a) Management based on the concept of a total allowable catch (TAC) for each stock
- (b) Control of fishing activity through multiannual guidance programmes.

2. THE NEW C.F.P.

In order to prepare for the period beyond 2002, the C.F.P. from 1990 onwards should be more global and coherent and be based on more than the original principles of:

- The conservation of the sea's resources
- Access to Community waters by EC vessels
- The protection of the interests of coastal communities which rely on fishing for human nourishment.

Therefore some new principles have been adopted for the decade following 1990. These are :

The rational, responsible and sustainable exploitation of the various fisheries

The achievement of a balance between fishing effort and available and accessible resources

Stricter controls on access to stocks

Improvement of Community rules

Distribution of responsibility for the management of the C.F.P. among all those concerned, and better overall policy coordination.

For the new C.F.P. every measure aimed at the restructuring of the fisheries sector must be in line with available and accessible resources and should take into account the characteristics of each fishery and the possible economic and social consequences involved.

All these new principles will be applied through the adoption of a number of new Regulations, among which the following may be mentioned:

- Council Regulation (EEC) No 3760/92. This is the basic Regulation for the fisheries and aquaculture sector and incorporates all the new principles of the C.F.P.
- Council Regulation (EEC) No 2080/93. This is the Regulation which determines the financial instrument for fisheries guidance, i.e. the new Fisheries Structural Fund.
- Council Regulation (EEC) No 2081/93. This is the Regulation which defines the purposes of the Structural Funds and activities carried on between them and in conjunction with the operations of the European Investment Bank and the other existing financial instruments.
- Council Regulation (EEC) No 2082/93. This is the Regulation which coordinates the activities of the different Structural Funds carried on between them and in conjunction with the operations of the European Investment Bank and the other existing financial instruments.
- Council Regulation (EEC) No 3699/93. This is the Regulation which lays down the criteria and arrangements regarding Community structural assistance in the fisheries and aquaculture sector and the processing and marketing of its products.
- Council Regulation (EEC) No 2847/93. This is the new control Regulation which covers new areas of application and requires implementation of additional measures.
- Council Regulation (EEC) No 1626/94. This is the new Regulation concerned with the harmonization of some technical measures in the Mediterranean. It concerns the implementation, for the first time, of some management rules of the new C.F.P. in the Mediterranean Sea.

3. IMPLEMENTATION OF THE NEW C.F.P.

3.1. Access to fishing grounds

Under current legislation, the principle of free access to the coastal waters of another country is restricted until the end of 2002.

The restriction is not absolute. Small fishing boats from one EC country which have traditionally operated in the coastal waters of another continue to do so. These rights are carefully set out in Council Regulation No 3760/93, which stipulates the nationality of the boats concerned, the areas they may fish in, and in some cases, the time of the year at which they may operate.

This restriction was necessary to prevent a sudden influx of fishing boats from other parts of the Community from upsetting the delicate balance between local boats and local fish stocks. Not only does the measure protect the traditional fishing rights of coastal fishermen, but it helps ensure that fishing remains an essential part of the local economy.

After 2002 the Council of Ministers, on the basis of a report from the Commission which examines the economic and social situation of coastal region, will make a decision concerning the application of free access to coastal waters within the 12-mile belt.

But freedom outside the 12-mile belt is not total. The Community has designated protected areas where the right to fish is limited. This decision is based on biological reasons.

One of these protected areas is the so-called Shetland Box, off the north of Scotland. The Commission carefully controls access to the area through a system of licences; the latter closely supervises the 128 trawlers from the United Kingdom, France, Germany and Belgium that are allowed to fish these waters for demersal fish.

A major innovation of the new system is the introduction of fishing licences from January 1995. From that day, all boats fishing in Community waters and EC vessels operating in non-EC areas will have to have a licence. The licence will contain standard minimum information and its issue will be managed by the national governments.

At this point it should be mentioned that the possession of a licence has been obligatory for Greek fishing vessels almost since 1966, in accordance with Royal Decree 666/66.

3.2. Management of living marine resources and conservation of fish stocks

At the basis of rational management should be a sufficient knowledge of the state of fish stocks. In the case of the Atlantic, the Baltic and the North Sea this information, which includes scientific and economic viewpoints, is provided for the Community by its Scientific, Technical and Economic Committee for Fisheries (STECF) and the International Council for the Exploration of the Sea (ICES).

Thus the fishing management rules of the Community are based on the following principles:

- Protection of young fish. The aim is to protect young fish, especially those which have not yet reached sexual maturity. This is essentially achieved through a variety of technical measures which cover the mesh size of fishing nets and the minimum size of fish landed. The measures also include limits on different fishing seasons and areas.
- Definition of exploitation rates. Management of fishing zones in Community waters, with the exception of the Mediterranean Sea, has been based on the concept of a total allowable catch (TAC) for each stock, covering species in a given area. Stock levels are assessed annually, mainly by fisheries' biologists from the ICES or STECF.

On the basis of scientific advice, the European Commission presents proposals for TACs for the various stocks. The final decision on the level of catches that can be made for the following year is taken by the EC governments each December.

More recently, with the adoption in December 1992 of the basic Regulation No 3760/92, the management of annual TACs takes into account two more factors - economic and social in nature - apart from the biological one. This innovation will bring about a harmonization between structural and conservation policies and the particular concept of the effort involved in fishing.

3.3. Mediterranean Fisheries Policy

The rules of management already mentioned, which cover fishing activities in the North Sea and the Atlantic, are not applicable in the Mediterranean Sea.

This is mainly due to the disputes between neighbouring countries, among which only four are members of the EC (Greece, Italy, France, and Spain). In addition, the essential features of the

Mediterranean fisheries are very different from those of other regions. In particular, the Mediterranean is characterized by a high level of biodiversity with well over 100 species of fish being taken in commercial catches.

The Mediterranean fisheries are mostly artisan in nature. Furthermore, there are great differences in the social and cultural aspects of the fishing communities compared to other regions of Europe. There are no fleets of large industrial vessels operating in the Mediterranean and, with artisan fleets operating close to their home ports, there are few fisheries shared between countries. However, there is substantial recreational fishing, the nature of which is not well understood and which, in some cases, is not subject to official regulation.

In general, it seems that fisheries management has been most successful in areas where few countries are involved, e.g. North America, where the fisheries are mainly exploited by small numbers of large vessels whose activities may be monitored without difficulty. However, the Mediterranean fisheries are far from this ideal, and different solutions must be found to achieve effective management.

Since 1990 the Commission has advocated a two-stage approach, introducing EC conservation measures for the four Member States concerned and then trying to integrate these into a wider system involving all Mediterranean States.

Estimates for Mediterranean fisheries industry indicate :

- The employment of 110,000 fishermen
- The existence of around 50,000 small, often family-run boats
- The total catch landed at about two million tonnes
- Some species such as sardines can command a higher price if taken from the Mediterranean rather than the Atlantic
- Aquaculture is a fast expanding area of activity as production of mussels, bass, sea bream and prawns increases.

In 1992, The Commission addressed a proposal to the Member States of the Community for a Regulation concerning the harmonization of a number of technical measures, which introduces greater uniformity into rules for the Mediterranean Member States that deal with the conservation of the sea's resources.

This proposal was adopted by the Council of Ministers in June 1994 as Council Regulation (EEC) No 1626/94.

The new common Mediterranean legislation includes a number of rules which concern :

- The banning of equipment and practices that damage the marine environment
- minimum standards for mesh sizes and fishing tools
- minimum standards for the size of fish
- The establishment of protected zones where young fish may develop safely.

The Community is interested in the development of international cooperation with all the countries surrounding the Mediterranean in order to make its conservation measures as effective as possible. To this end, it is already participating as an observer in the work of the FAO General Fisheries Council for the Mediterranean and hopes soon to be a full member alongside the other member countries.

3.4. Control of fishing activity

Control of fishing activity is mainly exercised by national governments, which ensure that conservation measures are respected. It is the governments and their appropriate services which police the areas and amounts being fished, the quality and tonnage of landings, and apply penalties.

During the first years of applications of C.F.P. the role of the Commission was rather limited.

Thus the Commission's own inspectors, who nowadays number around 21, have the task of inspecting the national inspection services, but not the fishermen themselves. The Commission also helps Member States to strengthen their control measures and to purchase fishery vessels and aircraft.

In October 1993 the Council of Ministers approved the new fishing control Regulation. This new Regulation (EEC) No 2847/93 contains many important elements.

- First of all, the new rules increase the Community's inspection role, and recognize the need to harmonize the level of national penalties and use of new technology such as satellites. Economic aid may also be offered to fishermen who respect these rules.
- Another important element of this new Regulation is that skippers of fishing boats over 10 metres in length have to keep a log-book showing, in particular, the quantities of each species caught and the amount kept on board.
- The new Regulation also includes specific requirements for declarations of fish landings at port, and the recording of sales at auction centres and elsewhere.
- According to the new Regulation, punishments, which are decided by national courts, may include confiscation of fishing nets, of fish caught and even of the boat itself, or even temporary suspension or permanent withdrawal of fishing licences.

4. STRUCTURAL FISHERIES POLICIES

The structural fisheries policy concerns the whole fisheries industry, which comprises the fishing fleet, aquaculture, and processing and marketing sectors, as well as port infrastructure.

a. The fleet

The main objectives of structural policy are :

- To establish a modern, competitive fishing fleet
- To remove excess fishing capacity, so as to protect living marine resources
- To reinforce the socio-economic development of coastal areas dependent on fishing

Although EC measures to meet the objectives of the two sectors date from the beginning of the Seventies, it was only in 1983 that progress was made with the bilateral agreement (between the national governments and the Commission) on multiannual guidance programmes.

An agreement was made between the Community and the Member States that, during the period from 1987 to 1991, the capacity of the fishing fleet would be reduced by 3% in tonnage and 2% in engine power. This reduction increased for the period 1992 - 1996 and was confirmed by the Council of Ministers.

The actions aimed at the support of the structural fisheries policy are the following :

- Definite withdrawal of fishing vessels
- Reorientation of fishing activities (construction of joint enterprises with third countries)
- Equipment of fishing ports, so as to improve port facilities
- Development and modernization of aquaculture farms
- Construction and modernization of fishing vessels
- Processing and marketing
- Promotion of fisheries products

The above-mentioned actions are financially supported by the national and Community budgets.

b. Aquaculture

The main objectives of structural policy for aquaculture are:

- The reduction of the Community's trade deficit in sea products
- The increasing of job opportunities in some less-developed regions.

Since 1983, the implementation of EU structural policy in the aquaculture sector in Greece has led to the promotion of the extension of this activity towards the commercial farming of sea fish and crustaceans for human consumption. New methods of farming quality fish such as sea bass, sea bream and salmon in confined areas in the sea or on land-based fish farms have been rapidly developed. This development is also due to the favourable ecological conditions which prevail in our country.

Thus the result of a decade of marine aquaculture development in Greece is the increase in total aquaculture production, from 6,100 tonnes in 1980 to 45,000 tonnes in 1995.

c. Processing and Marketing

Fish and shellfish caught at sea or produced on fish farms must be handled, prepared and processed in accordance with consumer demands. The fisheries processing sector is supported by Structural Funds, the aim of which is to improve the conditions under which fishery and aquaculture products are processed and marketed. Priority was given to measures implementing new EC hygiene and public health standards, restructuring and modernizing the industry, promoting technical innovation, developing aquaculture products and upgrading auction halls and fish - handling facilities.

In 1993, following the Treaty of Maastricht, the Community's funds were reformed. This provided the opportunity to regroup the various fisheries finances available for such activities into one fund which is known as the Financial Instrument for Fisheries Guidance (FIFG).

This last change concerns only one part of the structural policy.

In fact, from 01.01.1994, a new system was introduced in the structural fisheries sector based on the principle of "subsidiarity" between Community and Member States.

From 31.12.1993 the fisheries sector, with the exception of the subsector of processing and marketing, was not included in the Community Framework Support. Therefore, all financial demands, must be submitted one by one to the Commission for approval.

The principle of multiannual programmes has been introduced in accordance with the new system.

The programme for the Greek fisheries sector, covering a period of six (6) years (1994-1999), was approved by the EC on December 1994 and provides financial support of 200 million ECUs from the Commission and the national funds for all activities or measures included in it.

5. FISHERIES RESEARCH

At the basis of C.F.P. are the results of fisheries research. There are two organizations – the Community Scientific Technical and Economic Committee for Fisheries (STECF) and the International Council for the Exploration of the Sea (ICES) - which provide the scientific and economic information needed for the presentation every year, by the Commission, of proposals for TACs for the various stocks.

The Commission encourages coordination and investigation beyond national boundaries through the financing of scientific programmes between Member States.

In accordance with Article 4 of Council Regulation (EEC) No 2080/93, an amount equal to 2% of the yearly budget of the FIFG is offered for research studies and programmes conducted by scientists and experts of the Member States. There is usually a call for proposals by the Commission services for the definition of priority areas and subjects.

Some of the thematic objectives of research are as follows:

- Assessment of living marine resources in the Mediterranean and in certain zones where the knowledge of them is limited
- Collection of reliable, basic data on all aspects of the sector, particularly on the detailed composition of Community fleets and catches, in order to enable scientists, politicians and fishermen to work out appropriate strategies for the reasonable management of European fisheries
- The socio-economic impact of the C.F.P. due to the application of structural policy and measures
- The relationship between fishing and the environment, which is reciprocal in nature because each affects the other.

6. CONCLUSIONS

As a result of the shortage of information, and in particular of reliable figures relating to fishing activities as a whole and the resultant imperfect knowledge about the latter, the facts show that at the end of the first decade of the C.F.P. for the Conservation and Management of Resources, the fisheries sector is characterized by overfishing, production and income lower than that which might have been achieved, and the existence of a latent sectorial crisis.

The new framework for the C.F.P. established in 1992 and now in the process of implementation is expected to alleviate many of the problems experienced under the previous regulation. It is, however, too early to assess the outcome of the new measures.

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