

EU aid for those who comply with the rules of the CFP

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BirdLife Europe, Greenpeace, Oceana, OCEAN2012 and WWF work together for an ambitious reform of the Common Fisheries Policy (CFP) which should:

- restore fish stocks to healthy levels;
- end overfishing by shifting to environmentally sustainable fishing practices; and
- reduce damage to marine ecosystems.

Making access to EU financial assistance conditional can be an important tool to incentivize implementation of the CFP – both for Member States and individual operators while ensuring effective use of public money. We are concerned that some proposals agreed in the General Approach adopted by the Council in June 2012 weaken the Commission's proposal and in general undermine the objectives of the reform. We therefore ask Members of the European Parliament (MEPs) to support and further strengthen the provisions suggested by the Commission in Articles 50 and 51 of the Basic Regulation, and to counter any proposals to water down these requirements.

Article 50: Conditions for financial assistance towards Member States

Article 50 of the proposed CFP Basic Regulation proposes that Member States which do not properly implement the CFP, for instance by failing to adhere to requirements for data collection, shall be excluded from EU financial assistance under the EU Maritime and Fisheries Fund (EMFF). Civil society groups have demanded such conditionality for a long time and strongly support this proposal.

NGOs repeatedly pointed to Member States which modernize their fleets with EU aid but fail to report on their efforts to achieve a balance between fishing capacity and available fishing opportunities.¹ One of the results is that Member States have paid out millions in EU subsidies to bluefin tuna fishing fleets, in spite of the endangered situation of the species.² Also, some Member States challenge the quality of scientific advice on fishing limits but fail to comply with data reporting obligations under the Data Collection Framework Regulation.³

We are therefore deeply concerned by the Council suggestion to strictly limit conditionality to those obligations under the CFP which aim to ensure proper use of financial assistance, instead of making compliance with all CFP rules a precondition for receiving funding. This Council suggestion basically represents the status quo. We urge MEPs to support the Commission's proposal on conditionality in Article 50 and strengthen it by:

- extending it to encompass also compliance with environmental legislation, namely the Birds- and the Habitats Directives and the Marine Strategy Framework Directive.

¹ Poseidon (2010) FIGG Ex Post evaluation.

² http://www.greens-efa.eu/fileadmin/dam/Documents/Background_notes/317589.eu_subsidies_to_bluefin_tuna_fishing_fle@en.pdf

³ COM(2012) 278 final: Communication from the Commission to the Council concerning a consultation on Fishing Opportunities for 2013.

Article 51: Conditions for financial assistance towards operators

Article 51 of the proposed CFP Basic Regulation proposes that financial aid towards operators shall be made conditional upon compliance with the rules of the CFP. We welcomed the Commission's proposal, having repeatedly pointed to operators who engaged in serious infringements but continued to benefit from EU financial assistance⁴. We are therefore strongly concerned by the Council's suggestion in the General Approach of June 2012, which continues to turn a blind eye to serious infringements of the CFP and maintains the status quo. The Council agreed that Member States may make funding conditional on operators' compliance with specific obligations under the CFP, despite the fact that serious infringements of the CFP deplete fish stocks, destroy marine habitats, distort competition, and put honest fishers at an unfair disadvantage.

We therefore urge MEPs to reject the Council's weak, discretionary approach and instead support and further strengthen the Commission's proposal by:

- making financial assistance conditional on not infringing the rules (as opposed to being sanctioned for a serious infringement as Council currently proposes); and
- significantly increasing the time for such an exclusion (both provisions in Article 51(3) of the Basic regulation).

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⁴ <http://www.fishsubsidy.org/infringements/>