



**Friends of
the Earth**

Common Fisheries Policy Reform, and its compliance with EU law.

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For reform of the Common Fisheries Policy to be valid Marinet, a member of the Ocean 2012 Alliance¹, requires the European Union to ensure that CFP reform complies with EU law.

To be legally valid, EU Common Fisheries Policy reform must comply with:

- The Marine Strategy Framework Directive, 2008/56/EC.
- Council Regulation on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy, (EC) 2371/2002.

In terms of EU law, this means the reformed CFP must conform with:

- The ecosystem-based approach to marine management.
- The precautionary principle.
- The “good environmental status” descriptors of the Marine Strategy Framework Directive.

These legal requirements are defined as follows:

- *The ecosystem-based approach to marine management* : “Marine strategies shall apply an ecosystem-based approach to the management of human activities, ensuring that the collective pressure of such activities is kept within levels compatible with the achievement of good environmental status and that the capacity of marine ecosystems to respond to human-induced changes is not compromised, while enabling the sustainable use of marine goods and services by present and future generations” (ref. Marine Strategy Framework Directive, Article 1.3).
- *The precautionary principle* : “precautionary approach to fisheries management means that the absence of adequate scientific information should not be used as a reason for postponing or failing to take management measures to conserve target species, associated or dependent species and non-target species and their environment” (ref Article 3, para (i), Council Regulation (EC) 2371/2002.
- *Good Environmental Status* (ref: Marine Strategy Framework Directive, Annex I):
 - Populations of all commercially exploited fish and shellfish are within safe biological limits, exhibiting a population age and size distribution that is indicative of a healthy stock.
 - All elements of the marine food webs, to the extent that they are known, occur at normal abundance and diversity and levels capable of ensuring the long-term abundance of the species and the retention of their full reproductive capacity.

In addition to complying with EU law, Marinet requires CFP Reform:

- To ensure that the “maximum sustainable yield” of a fish stock is based on the *historic levels* of that stock, and not the current depleted levels, in order to ensure the stocks full recovery.
- To ensure that the rebuilding of fish stocks is determined by the principle of “*food security*” so that the EU can rely on its own commercial fish stocks rather than stocks located outside EU seas.

¹ The membership of the Ocean2012 alliance can be viewed at <http://www.ocean2012.eu/members>