

Rationale of a Common Policy for Aquaculture

Catalin PLATON

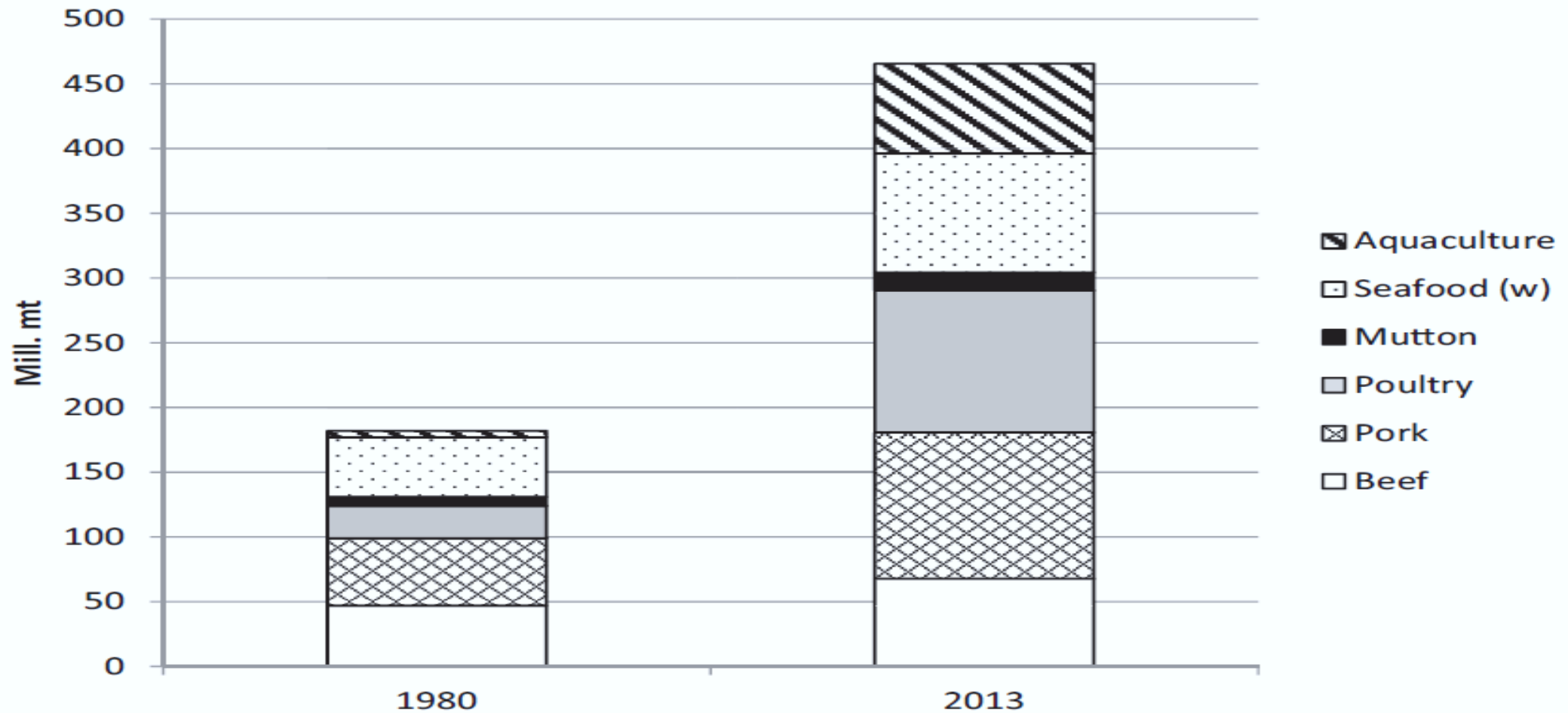


What happened?

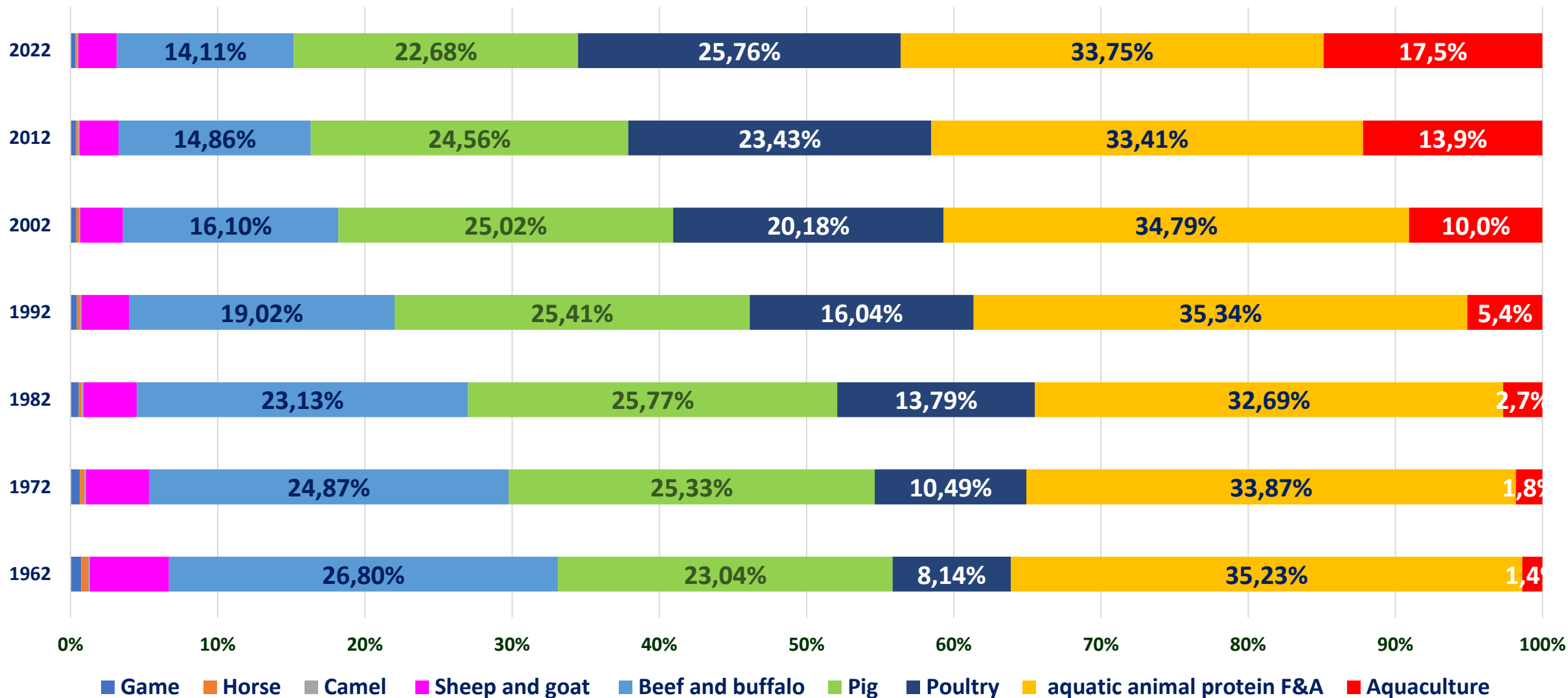


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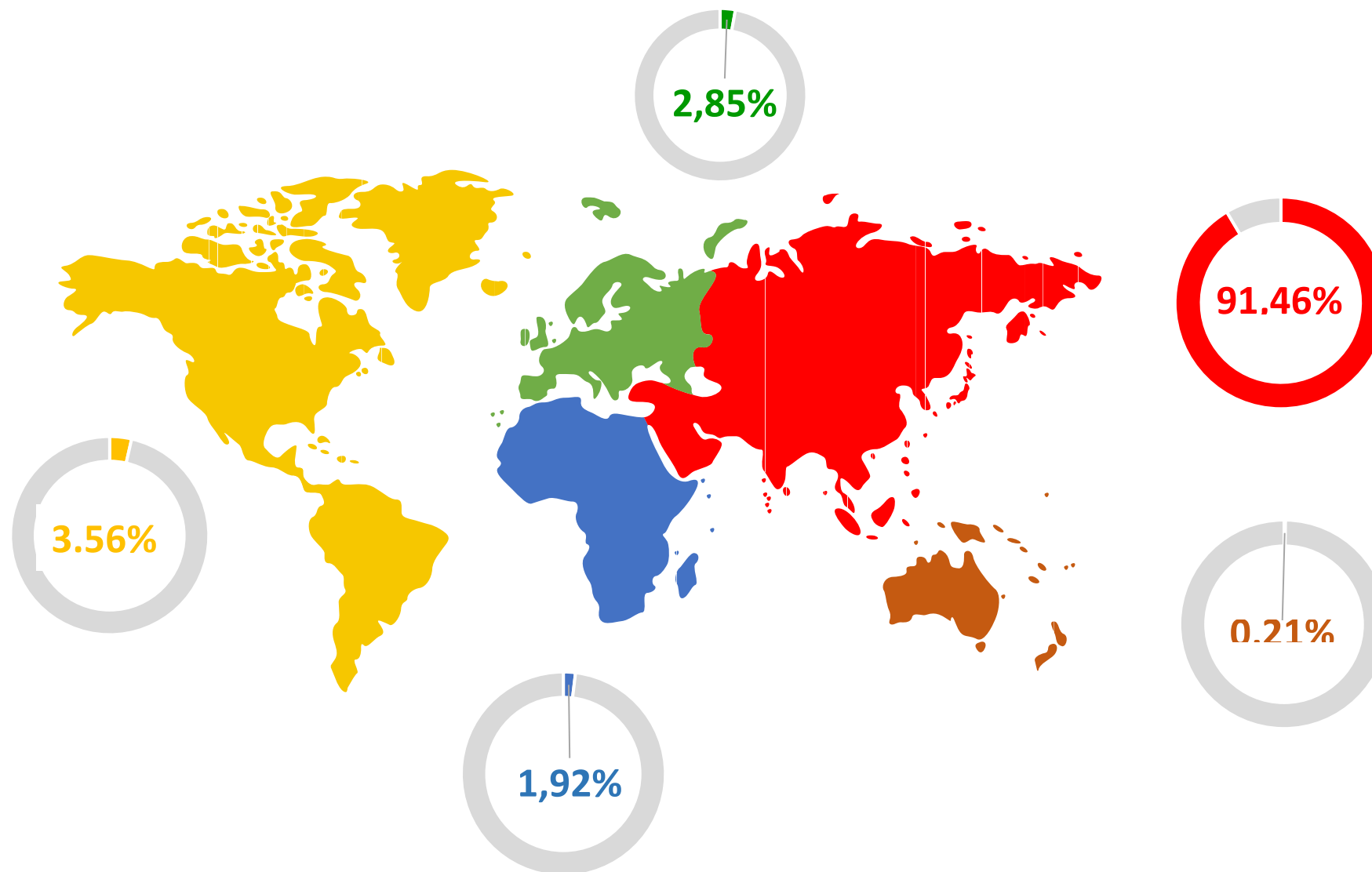
Source of animal protein



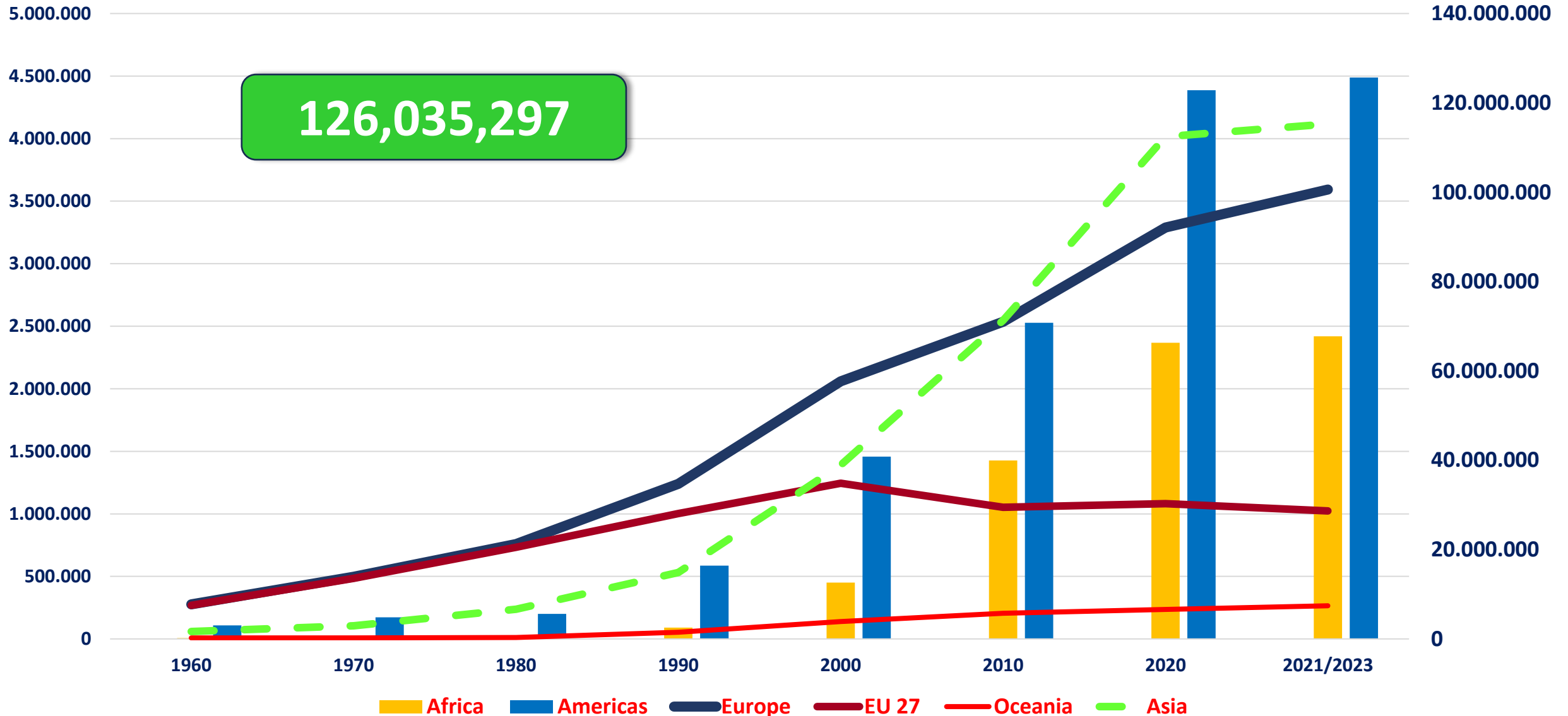
Source of animal protein



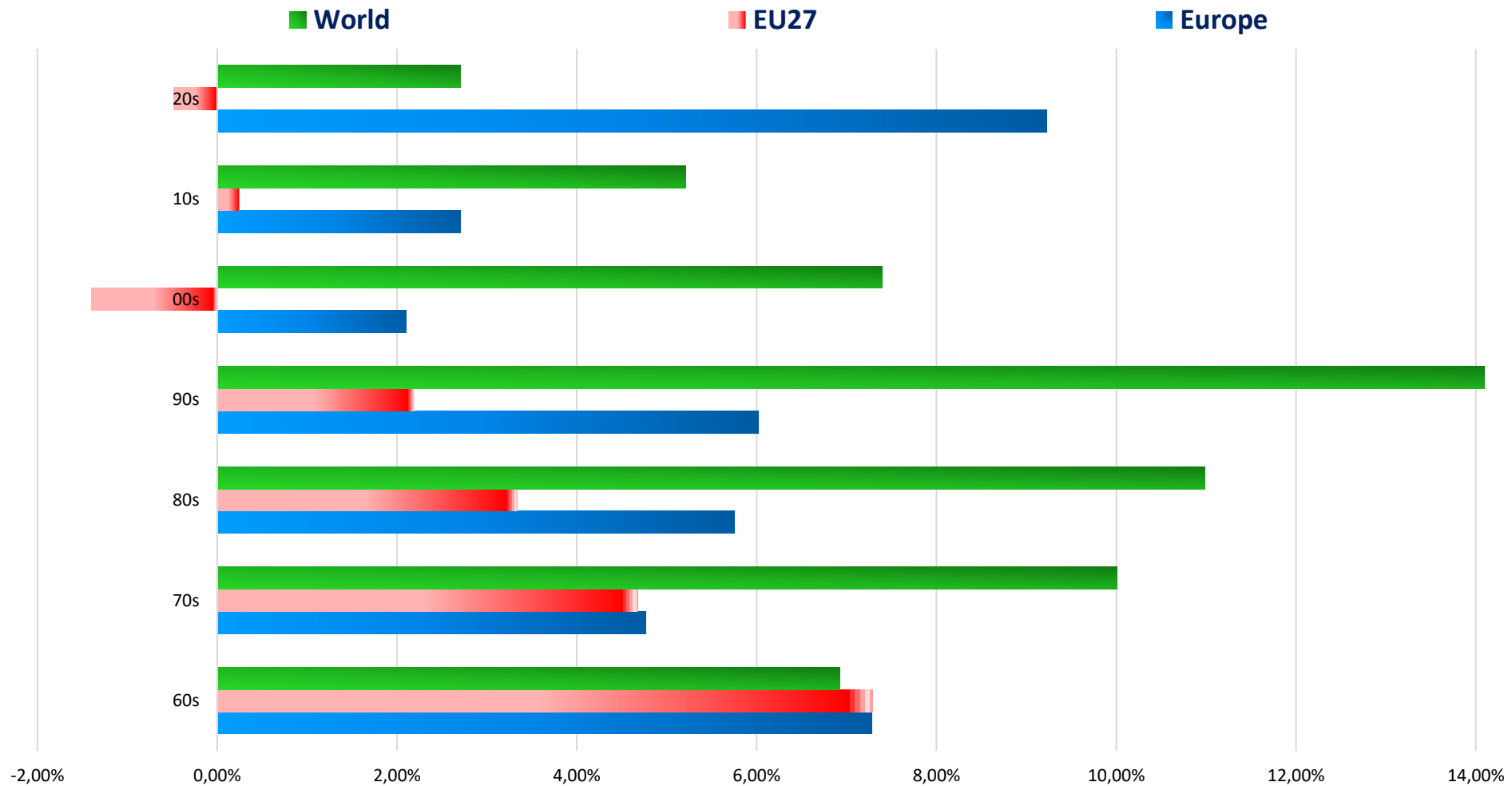
Aquaculture production (2022)



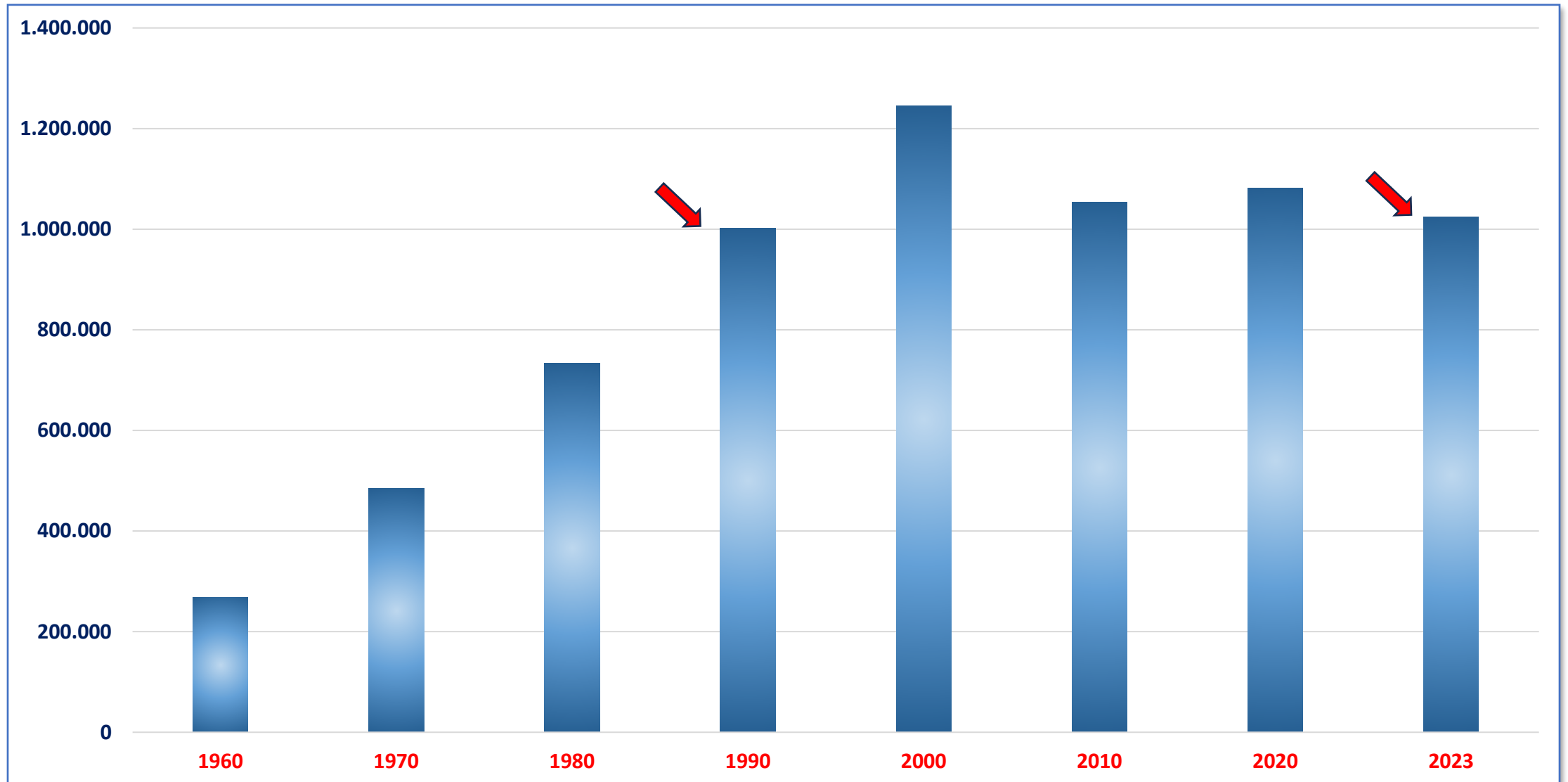
Aquaculture production (to)



Aquaculture growth rate



Aquaculture production in EU 27



Policies&Regulations



Lost in translation

Defining 'Agricultural products'

THE TREATY OF Rome (1957)

- ✓ **'Agricultural products'** shall mean the products of the soil, of stock-breeding and of fisheries as well as products after the first processing stage which are directly connected with such products.

THE TREATY ON THE FUNCTIONING OF THE EUROPEAN UNION (2012)

- ✓ **'Agricultural products'** means the products of the soil, of stock-farming and of fisheries and products of first-stage processing directly related to these products. References to the **common agricultural policy or to agriculture**, and the use of the term **'agricultural'**, shall be understood as **also referring to fisheries**, having regard to the specific characteristics of this sector.

But...

REGULATION (EEC) No 2142/70 on the common organisation of the market in fishery products

“Art. 1 - A common organisation of the market in fishery products shall be established comprising a price and trading system and common rules on competition. This organisation shall cover the following products: [*inter alia* CN: 03.01 (Fish fresh, live or dead, chilled or frozen), 03.02 (fish, salted, dried or smoked), 03.03 (crustaceans and molluscs), Annex II (Referred to art. 38 of the Treaty of Rome)];

But...

Council Regulation (EEC) No 3760/92 establishing a Community system for fisheries and aquaculture

“Art. 2 - **The purpose** of this Regulation shall be to establish **a framework for the conservation and protection of resources**. Member States shall ensure that non-commercial activities do not jeopardize the conservation and management of resources covered by the common fisheries policy;

Council Regulation (EC) No 2371/2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy

“Art. 2 - The Common Fisheries Policy **shall ensure exploitation of living aquatic resources** that provides sustainable economic, environmental and social conditions. [...] **It shall aim to contribute to efficient fishing activities within an economically viable and competitive fisheries and aquaculture industry, providing a fair standard of living** for those who depend on fishing activities and taking into account the interests of consumers.”

But...

Regulation (EU) No 1380/2013 on the Common Fisheries Policy

Art. 2 The CFP shall ensure that fishing and aquaculture activities are environmentally sustainable in the long-term and are managed in a way that is consistent with the objectives of achieving economic, social and employment benefits, and of contributing to the availability of food supplies.

✓ Art. 4 - (29) 'fishery products' means aquatic organisms resulting from any fishing activity or products derived therefrom;

But...

Regulation (EU) 2019/473 on the European Fisheries Control Agency

Art. 2 – (f): ‘fishery’ means fishing activities as defined in point (28) of Article 4(1) of Regulation (EU) No 1380/2013;

Defining fishery/fisheries

Cambridge Business English Dictionary

1. (natural resources): an area of water where fish are caught, especially in order to sell them;
2. (production) the business or industry that is involved in breeding, catching, or selling fish;

FAO Fisheries and Aquaculture Department, FAO, 2014

Generally, a fishery is an activity leading to harvesting of fish. It may involve capture of wild fish or raising of fish through aquaculture.



Not very clear?

NOT AGLA CIGSLE

A misty, atmospheric landscape featuring a wooden pier or walkway extending from the foreground into a calm body of water. The pier is constructed of several parallel wooden planks. To the right of the pier, there are tall, thin reeds or grasses. In the upper right corner, the bare branches of a tree are visible against the hazy sky. The overall scene is shrouded in a thick mist or fog, creating a serene and somewhat somber mood. The text "Let's try with 'aquaculture'!" is overlaid in the center of the image in a bright yellow-orange color with a black outline.

Let's try with 'aquaculture'!

Defining 'Aquaculture'

FAO definition (1980)

✓ **farming** of aquatic organisms in both inland and coastal areas, implying **some form of intervention** in the rearing process to enhance production and **individual or corporate ownership** of the stock being cultivated

Council Regulation (EC) No 788/96

✓ **farming** of aquatic organisms including fish, molluscs, crustaceans and aquatic plants. **Farming** implies **some form of intervention** in the rearing process to enhance production, such as regular stocking, feeding and protection from predators. Farming also implies **individual or corporate ownership** of, or rights resulting from contractual arrangements to, the stock being cultivated.

Defining 'Aquaculture'

- **FAO definition (1980)**

✓ **farming** of aquatic organisms in both inland and coastal areas, implying **some form of intervention** in the rearing process to enhance production and **individual or corporate ownership** of the stock being cultivated

- **Regulation (EU) No 1380/2013**

✓ **rearing or cultivation** of aquatic organisms using **techniques designed to increase the production of the organisms in question beyond the natural capacity of the environment**, where the organisms remain the **property of a natural or legal person** throughout the rearing and culture stage, up to and including harvesting;

Agricultural products



Lost in support

EU policies - Article 39 TFEU

“References to the common agricultural policy or to agriculture, and the use of the term ‘agricultural’, **shall be understood as also referring to fisheries**, having regard to the specific characteristics of this sector”

1. The objectives of the common agricultural policy shall be:
 - a. to increase agricultural productivity by promoting technical progress and by ensuring the rational development of agricultural production and **the optimum utilisation of the factors of production**, in particular labour;
 - b. thus, to ensure a **fair standard of living** for the agricultural community, in particular by **increasing the individual earnings** of persons engaged in agriculture;
 - c. to **stabilise markets**;
 - d. to assure the **availability of supplies**;
 - e. to ensure that **supplies reach consumers at reasonable prices**.

Agricultural Policy

Article 39TFEU

In working out the common agricultural policy and the special methods for its application, account shall be taken of:

- a) **the particular nature of agricultural activity**, which results from the social structure of agriculture and from structural and natural disparities between the various agricultural regions;
- b) the need to effect the appropriate adjustments by degrees;
- c) the fact that **in the Member States agriculture constitutes a sector closely linked with the economy** as a whole.

Aims of the common agricultural policy

- **support farmers** and improve agricultural productivity, ensuring a **stable supply of affordable food**;
- safeguard **European Union farmers to make a reasonable living**;
- help **tackle climate change** and the sustainable management of natural resources;
- **maintain rural areas and landscapes** across the EU;
- **keep the rural economy alive** by promoting jobs in farming, agri-food industries and associated sectors.

But...

Regulation (EU) 2021/2115 (CAP Strategic Plans)

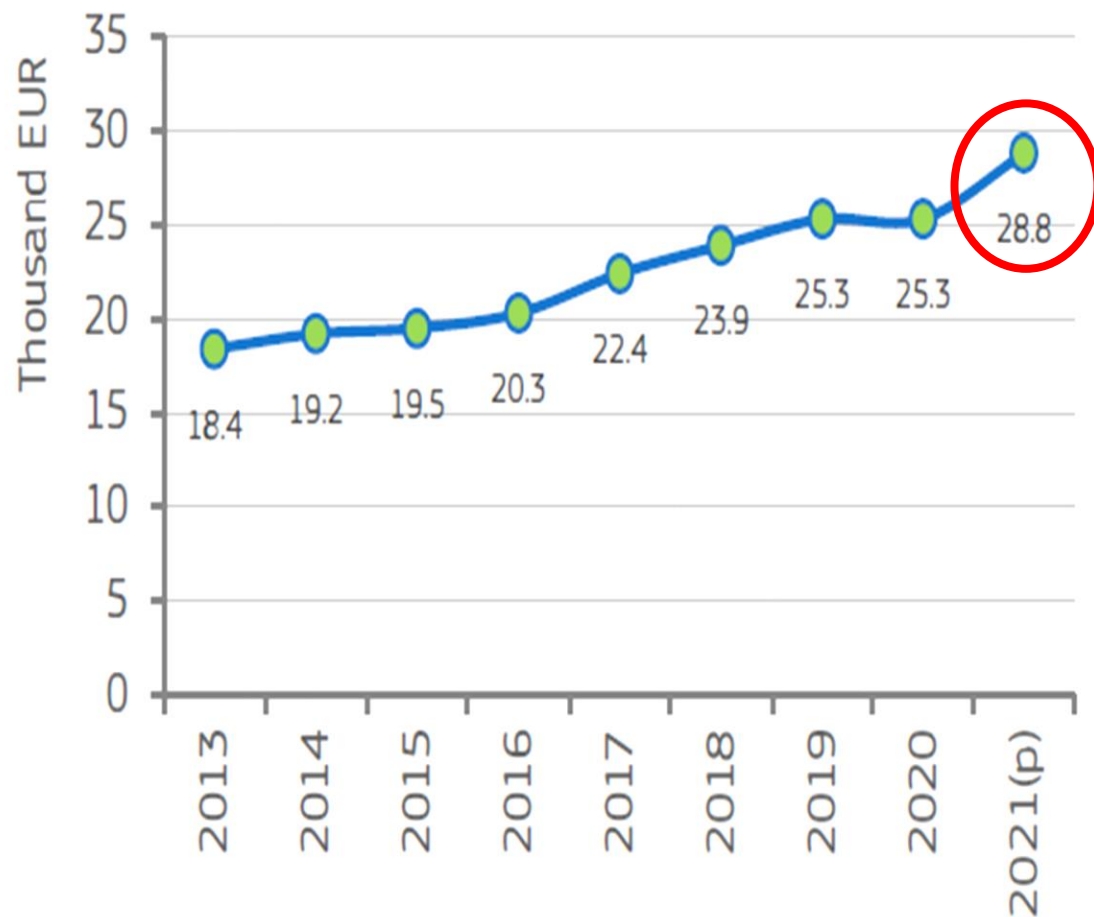
- **‘farmer’** means a natural or legal person, or a group of natural or legal persons, regardless of the legal status granted to such group and its members by national law, whose holding is situated within the territorial scope of the Treaties, [...] and who exercises an agricultural activity as determined by Member States in accordance with Article 4(2) of this Regulation;
- **‘Agricultural activity’** shall be determined in such a way that it allows to contribute to the provision of private and public goods through one or both of the following:
 - (a) the production of agricultural products, which includes actions such as raising animals or cultivation including by way of paludiculture, where agricultural products means products listed in Annex I to the TFEU **with the exception of fishery products**, as well as cotton and short rotation coppice;
 - (b) the maintenance of the agricultural area in a state which makes it suitable for grazing or cultivation, without preparatory action going beyond the use of usual agricultural methods and machinery.

Special considerations for agriculture

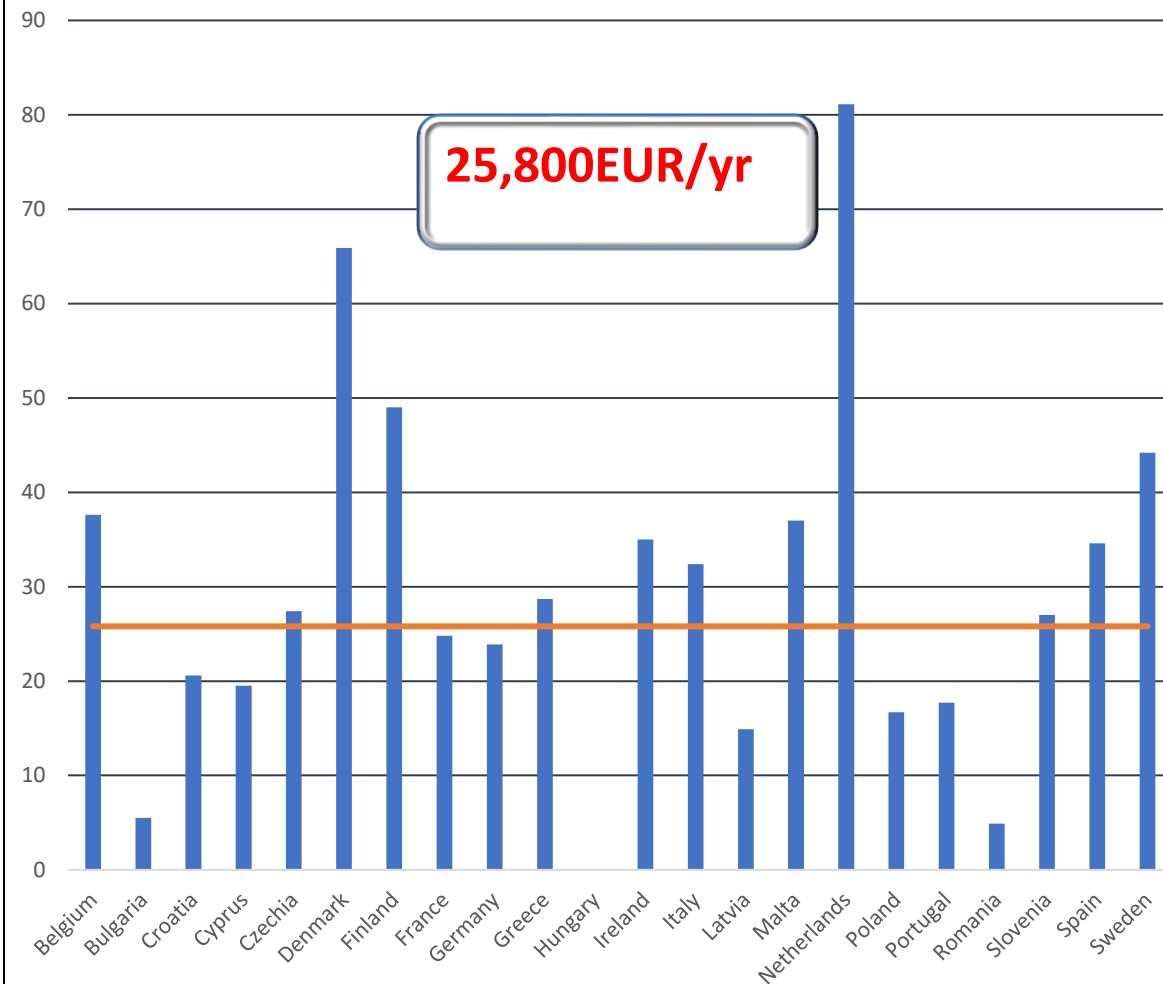
- despite the importance of food production, **farmers' income is around 40% lower** compared to non-agricultural income;
- **agriculture depends more on the weather** and the climate than many other sectors;
- there is **an inevitable time gap** between consumer demand and farmers being able to supply – growing more wheat or producing more milk inevitably takes time.

Farmers' income

GRAPH 1 – Income level trend since 2013, thousand EUR FNVA/AWU



Average wage, aquaculture (2022)



Measures to support agricultural activities

- **income support through direct payments** ensures income stability, and remunerates farmers for environmentally friendly farming and delivering public services not normally paid for by the markets, such as taking care of the countryside;
- **market measures** to deal with difficult market situations such as a sudden drop in demand due to a health scare, or a fall in prices as a result of a temporary oversupply on the market;
- **rural development** measures with national and regional programmes to address the specific needs and challenges facing rural areas.

Work in progress



A Lighthouse on the horizon

Aquaculture Advisory Council

AAC Letter to DG MARE for a Common Aquaculture Policy April 2023

“The AAC reiterates its recommendation that EU aquaculture should be recognised as a shared competence and that a Common Aquaculture Policy should be developed.”

Framework Recommendation for an Aquaculture Policy Reform, AAC 2024-01, February 2024

“In the long-term, the European Commission shall develop an overarching Common Food Policy.”

AAC Recommendation for an Aquaculture Policy Reform, AAC 2024-04, July 2024

“Aquaculture is reliant on access to common goods (i.e. open waters, coastal areas, freshwater, sites), and increasing competition with other users calls for a new policy framework to support the strategic development of the sector.”

Aquaculture Advisory Council

AAC split opinion on the CFP

- “other interest groups” favours the alignment of agriculture, fisheries and aquaculture in an overarching new Common Food Policy, whereas
- “sector organisations” favours establishing a separate Common Aquaculture Policy

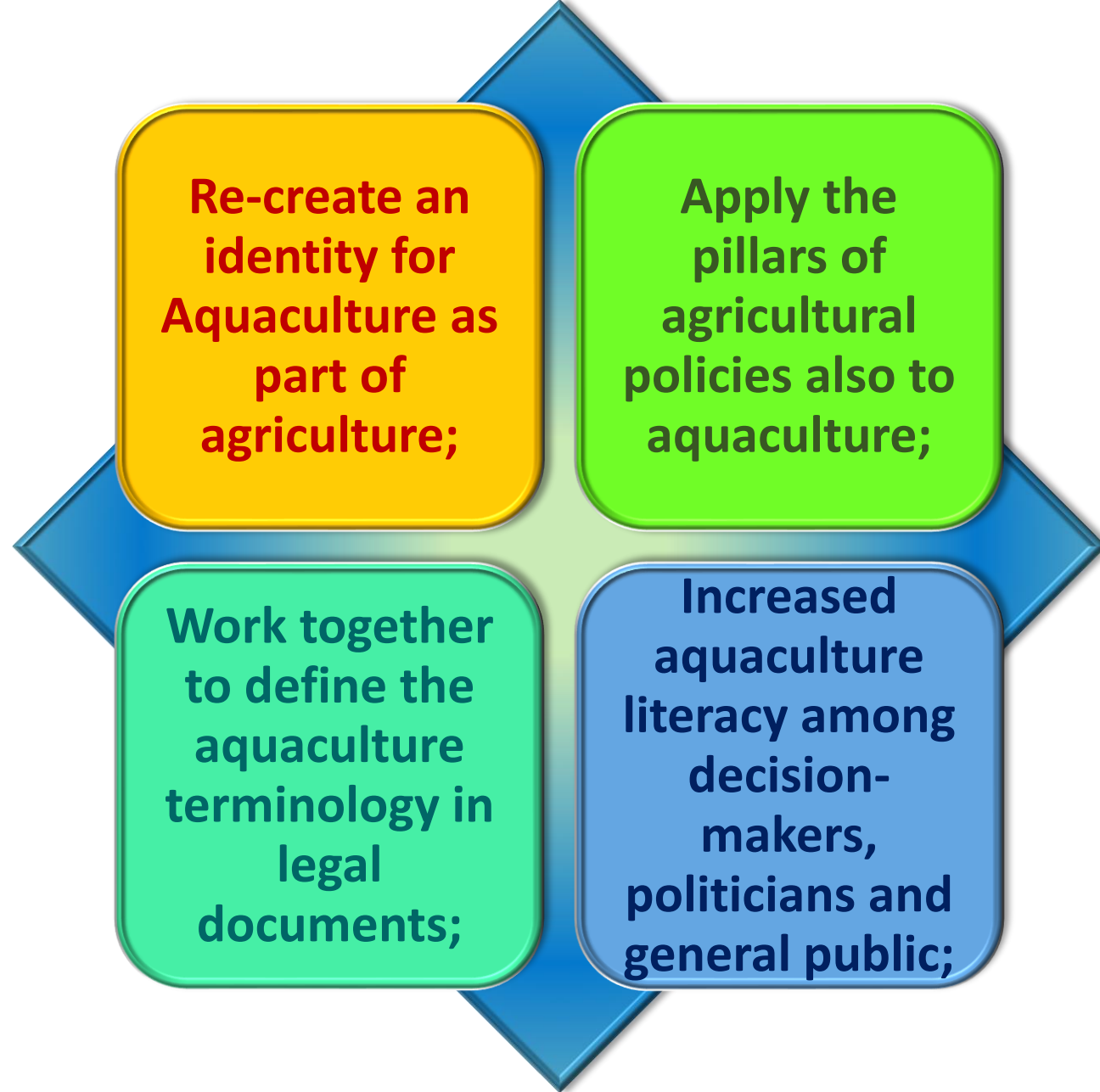
AAC Recommendation for an Aquaculture Policy Reform, AAC 2024-04, July 2024

- ✓ establishing an Aquaculture Sustainability Regulation (ASR);
- ✓ establishing a new CMO regulation on aquaculture products;
- ✓ amending the legal framework for POs and IBOs;
- ✓ establishing a new legal act on a Performance and Evaluation Framework (PMEF);
- ✓ improving coherence between aquaculture policy objectives and EU environmental directives.

**A conclusion is a place where
you got tired of thinking!**

This is not a conclusion!





References

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