

ROADMAP

Roadmaps aim to inform citizens and stakeholders about the Commission's work in order to allow them to provide feedback and to participate effectively in future consultation activities. Citizens and stakeholders are in particular invited to provide views on the Commission's understanding of the problem and possible solutions and to make available any relevant information that they may have.

TITLE OF THE INITIATIVE	Extension] of the access to waters regime under the Common Fisheries Policy
LEAD DG – RESPONSIBLE UNIT	DG MARE – D.3
LIKELY TYPE OF INITIATIVE	Proposal for a Regulation of the European Parliament and of the Council
INDICATIVE PLANNING	Q4 2020
ADDITIONAL INFORMATION	https://ec.europa.eu/fisheries/cfp/fishing_rules/access-to-waters_en

This Roadmap is provided for information purposes only and its content might change. It does not prejudice the final decision of the Commission on whether this initiative will be pursued or on its final content. All elements of the initiative described by the Roadmap, including its timing, are subject to change.

A. Context, Problem definition and Subsidiarity Check

Context

Similar to the identical arrangements under the Common Fisheries Policy since 1983, the [EU Regulation No 1380/2013 on the Common Fisheries Policy](#) (CFP Regulation) authorises Member States, until 31 December 2022, to restrict fishing in the waters up to 12 nautical miles from baselines under their sovereignty or jurisdiction to fishing vessels that traditionally fish in those waters from ports on the adjacent coast. Article 5(2) of the CFP Regulation indicates that these restrictions are without prejudice to arrangements between Member States under existing neighbourhood relations and the arrangements contained in Annex I of the CFP Regulation. Article 5(3) foresees moreover the possibility for outermost regions to restrict fishing in the waters up to 100 nautical miles from their baselines to vessels registered in their territory until 31 December 2022. The CFP Regulation also foresees that measures which are to apply after the expiration of the deadline of 31 December 2022 shall be adopted before that deadline.

Problem the initiative aims to tackle

The key problem the initiative aims to address is the risk of discontinuation of the specific access regime set out in Article 5(2) and 5(3) of Regulation (EU) 2013/1380. This would mean the end of a well-proven and generally uncontested system that was introduced in the Common Fisheries Policy in 1983 and extended with each reform of the policy ever since.

Basis for EU intervention (legal basis and subsidiarity check)

Legal basis is Article 43(2) of the Treaty on the Functioning of the European Union as well as Article 5(4) of the CFP Regulation.

According to Article 3.1(d) of the Treaty on the Functioning of the European Union, the EU has exclusive competence in the conservation of marine biological resources under the CFP, and therefore the subsidiarity principle does not apply.

B. What does the initiative aim to achieve and how

The aim of the action is to avoid a discontinuation of the specific access regime set out in Article 5(2) and 5(3) of the CFP Regulation by proposing an amendment to the relevant provisions of the CFP Regulation extending the period during which the restrictions to access foreseen under these provisions can be applied by the Member States. Considering the current conservation state of many stocks, and the continued sensitivity of coastal waters for conservation, as well as ongoing difficulties in coastal areas highly dependent on fisheries and unlikely to benefit from other economic development, the objectives for the specific regime appear to remain as valid as they were in the previous decades. Modifying current arrangements bears a high risk to disrupt the current balance that has developed

since the introduction of this special regime.
C. Better regulation
Consultation of citizens and stakeholders
No public consultation is foreseen. However Member States and the relevant Advisory Councils will be consulted.
Evidence base and data collection
Information on the currently applied restrictions under Articles 5(2) and 5(3) of the CFP Regulation will be gathered from the Member States to obtain a complete picture of the situation regarding the content and the extent of the restrictions currently applied by Member States. No impact assessment is foreseen since the initiative would not aim to change the current regime in substance but only extend its current duration similar to what was done in 2012 with an amendment to the predecessor of the current CFP Regulation ¹ .

¹ [Regulation \(EU\) No 1152/2012](#)