

The Association of Sea Fisheries Committees of England and Wales

6 Ashmeadow Road, Arnside,
via CARNFORTH, Lancs. LA5 0AE

Telephone : 01524 761616

E-mail : asfc.office@btopenworld.com
Website : www.asfc.org.uk

Chief Executive : Peter Winterbottom

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By e-mail only to mare-cfp-consultation@ec.europa.eu

INTRODUCTION

1. This Association represents the Sea Fisheries Committees in England and Wales. These bodies work in accordance with Act of Parliament to manage the inshore waters stretching from the coast to the points 6 miles offshore as measured from baselines within ICES areas IVb, IVc and ICES areas VIIa, e, d, f and g. Their duties include fisheries management through locally relevant conservation measures and habitat and species management designed to help the United Kingdom meet its obligations under the EU Habitats Directive, the Natura 2000 programme, the Marine Strategy Framework Directive and so on. The fisheries that are managed by the Sea Fisheries Committees range from the very specialised hand gathering of cockles and other molluscs and crustacea through to the conventional boat fisheries targeting shellfish with pots or dredges and fin fish with trawl, fixed net and line.

2. Following the recent agreement in Parliament of the Marine and Coastal Access Act the Sea Fisheries Committees are to be given additional and stronger duties relating both to the conservation of fish and shellfish stocks and the conservation of the marine environment in the broadest sense. These new duties and responsibilities will apply from 1 April 2011. At this point the Committees will be re-constituted as Inshore Fisheries and Conservation Authorities.

3. The author of this paper spent many years representing the interests of the United Kingdom in the Council's Internal Fisheries Working Group. He has wide experience of the Common Fisheries Policy at EU level as well as its implementation and management at EU, national and local level.

THE COMMISSION'S VISION FOR 2020

4. The Association agrees completely with the Commission's vision for the CFP for 2020. The challenge will be for the Council, the Commission, the national authorities and the

The Association works for sustainable management of inshore waters.
It represents the interests of the 12 Sea Fisheries Committees of England and Wales which manage those waters through powers conferred by Act of Parliament. Its associate members include the Fisheries Departments of the Isle of Man, Guernsey and Jersey

scientific community to create a respected framework within which this vision can be delivered.

5. It will be crucial to the delivery of this vision that the science and the management measures are ones to which the fishing community can relate. It must encompass their practical experience of the availability to them of the various fish and shellfish stocks on the grounds they work. This is particularly true of the inshore fisheries sector (often referred to as 'artisanale'). This sector still works relatively small boats that have neither the power nor endurance to work in all weathers nor to move to and from fishing grounds other than in their locality. This sector should be given especial encouragement for it is the one that is best placed to work prudently within the sensitive inshore marine natural environment. Indeed this sector has worked in the inshore area for so many generations that it is in a very real sense part of that environment and its processes.

6. This sector is capable of working in ever more sustainable ways. In the Association's experience the inshore fishermen are willing to adapt to working in ever more sustainable ways. They might need help to do so. But any help that the EU is prepared to give to this sector would also help to ensure that isolated local communities continued to be able to contribute significantly to the economic wellbeing of the sector, of the ancillary industries linked to it and to their communities' economic hinterland more generally.

FLEET CAPACITY

7. The catching capacity of the fleet should be no greater, allowing for technological creep of a few percent each year as new equipment becomes available, than a prudent harvesting level of the fish or shellfish stocks demand. However great care needs to be taken to match available effort to the stocks actually available to particular sectors. A generalisation that, for example, effort to be deployed in the whole of ICES area VII must be reduced from Y Kwh to X Kwh will not provide the technical solution nor will it be a solution which the fishing sector could understand within the context of their daily experience. A much more locally credible solution will be required. This argues for regional or sub-regional management.

8. An attempt should be made to allow alternative fishing opportunities to be pursued when species traditionally taken by a sector are in short supply. Successful creation of these additional opportunities would allow the present practice of continuing to fish on stocks under pressure for the sake of continuing employment to be ended. The top level objective has to be to rebuild fish stocks.

FOCUSSING THE DECISION MAKING FRAMEWORK

9. The EU decision making framework is too remote from the individual fishing sectors. The national bodies charged with implementing and managing the CFP are also quite often unnecessarily remote from those who are being managed.

10. At EU level serious consideration must be given to making the decision making process less remote and more relevant to the fishing industry. The establishment of the Regional Advisory Councils represented a very important first step in this direction. Therefore these institutions should be developed into bodies which can play a far more significant role in the EU decision making process.

11. The areas they cover should be reviewed :

- The North Sea RAC may well turn out to be the right model because it is dealing with a discrete fishing area even though it is a large one.
- The North Western RAC may well turn out to be the wrong model because it encompasses too many different types of demersal fishing and it covers too great a geographical area particularly when measured from north to south.
- A better model may be found to be one RAC dealing with ICES areas VIId, e and f, and h, another one dealing with ICES area VII a and g with a third RAC dealing with other areas north of 48 degrees north and a fourth RAC with responsibilities south of 48 degrees north.
- Within each RAC subdivisions may be required to address 'offshore' and 'inshore' issues.

12. This type of restructuring would make RACs more relevant to the industry. The Commission needs to understand that there is a strong body of opinion within the inshore sector that the RACs do not adequately consider or reflect inshore needs. The structures and financing of RACs need adjustment to ensure that inshore fishermen can afford to attend RAC meetings to represent their sector. This might be addressed by offering financial support directly to inshore representatives in recognition of the fact that this sector just cannot afford the equivalent structures and professional representation that the offshore sector is able to finance to represent its own interests. It cannot be over emphasised that the inshore fishing industry is at present extremely vulnerable in many instances because of a declining number of fishing opportunities and target species. The CFP needs to accommodate this fragility and put in place suitable safeguards that ensure the inshore fisheries sector is not marginalised by stronger offshore fisheries interests.

13. **This change would encourage the industry to take more responsibility in implementing the CFP** because the CFP to which it was exposed would be for an area to which their everyday experience allowed them to relate.

14. The decision making process in the Council of Ministers, as paragraph 4.3 of the Green Paper recognises, operates at the highest political level. This is far too remote for the fishing industry to feel any sense of engagement. Consideration needs to be given to

- A reformed RAC network working with the Commission and Member States in a regionally focussed working group within the Council machinery.
- This network becoming the practical Ministerial decision making level for the huge majority of CFP implementation decisions.
- Political change to the CFP being progressed through a 'college' of Regional Ministerial Groupings before decision in the Council of Ministers.

CULTURE OF COMPLIANCE

15. The changes outlined above will all help to make the CFP operate on a more human scale to which individuals are more likely to relate. Over time they are quite likely to take 'ownership' of the CFP reformed along these lines. It follows that compliance standards will rise.

A DIFFERENTIATED FISHING REGIME TO PROTECT SMALL-SCALE COASTAL FLEETS

16. As has been noted above the small scale coastal fishing fleets work in a different way from the very much more powerful (and potentially destructive) offshore fleets. This fact needs to be recognised in the CFP. The two fleets should not be treated on an identical basis because the opportunities and problems that they face are quite different. Maintaining a viable inshore (coastal) fleet has economic benefits for isolated communities as already noted at paragraph 6.

17. This Association recognises fully that many coastal vessels have a limited environmental impact but that even so they can be potentially harmful to sensitive coastal habitats. This is why the UK Government has reformed the present Sea Fisheries Committees by means of the Marine and Coastal Access Act 2009. The Inshore Fisheries and Conservation Authorities that the Government will put in place in 2011 (see also paragraphs 1 and 2) will be tasked to undertake this more detailed and sensitive level of fisheries and marine nature conservation management.

18. However the sensitive coastal habits to which the Commission refers in the Green Paper are not confined just to the waters immediately adjacent to the coast. They frequently extend up to about 12 miles off shore. It would make environmental management of this sensitive area more coherent if these waters could be managed on the same basis. A start on this policy was made at the mid-term review of the CFP in 2002 but Article 9 of Council Regulation 2371/2002 is not really effective for anything approaching real time management of these fisheries. Serious consideration needs to be given to making the coastal state responsible for management of its own Territorial Sea and that means that all Member States' vessels fishing in those waters by virtue of the 'historic rights' listed in the basic fisheries regulation do so according to the rules of the coastal state. This would be non-discriminatory because all vessels would fish in accordance with the same regulations.

19. The consultation process described in Article 9 of Council Regulation 2371/2002 needs to be made workable for everyday fisheries management purposes. This change would also help the coastal states meet other EU objectives including those imposed by the Habitats Directive and the Marine Strategy Framework Directive and the Water Framework Directive. In turn this will lead to more relevant management of the wider marine environment and to the **integration of the CFP in the broader maritime policy context** as outlined at paragraph 5.5 of the Green Paper

SCIENTIFIC KNOWLEDGE

20. A sound scientific basis for fisheries management, habitat management, species management and a thorough understanding of the wider marine environment is crucial. It seems that in recent years the fisheries scientific base has not advanced. Management methodologies originally developed for what were largely single species fisheries in distant northern waters have not proved to be adaptable to the mixed fisheries which are so prevalent in the EU fisheries zone around Northern Europe. Reform of this knowledge base needs to be addressed as a matter of urgency. At its simplest the fishermen are finding a very different volume and mix of species in their day to day fishing operations than the scientific community. This brings the whole authority of the scientific community into question. Much closer relationships need to be built between the fishing industry and the scientists. Steps need to be taken urgently to secure the transfer of knowledge of actual hauls taken on board from the fishing community to the scientific community. In time this will help the scientific community to tune their models to something far closer to the fishing experience. This can only help TAC allocation and make quota allocations to individuals

meaningful. The more meaningful the allocation the less likely it is to be abused and the more likely that such damaging effects on fish stocks and the marine environment as discards will be moderated.

21. The use of quota in mixed fisheries has resulted in discarding issues and very often because the underpinning science is not robust enough. Focus should be placed instead on input controls and minimising discarding through the introduction of appropriate incentives for fishing opportunities i.e. the use of more selective low impact gears should be rewarded. It is suggested that more than a basic level of access to fisheries should be a reward for the use of more selective low impact gears. As a prelude to this there is a strong case for requiring for a period that all that is caught has to be landed. This would allow the full extent of fishing mortality when using current gear to be understood. From that point a reward based system when using more selective gear can be applied and the real effect on the reduction of discards seen. This approach would bring fishing mortality more nearly in line with landings and benefit the marine environment by reducing unnecessary mortality.

22. Within the inshore sector there appears to be considerable interest in the increased use of effort controls (e.g. hours at sea monitored with suitable tracking technologies) as a management technique as opposed to output quota controls. This should be explored.

23. Much additional scientific work is also required to supplement the present very basic knowledge of habitats and species and their role in the wider marine environment. Until this knowledge base is improved marine environmental management be it through the Habitats Directive or the Marine Strategy Directive or the Water Framework Directive can only be a 'hit-and-miss' affair.

24. Management from a point of insufficient knowledge may not achieve the desired and much needed improvements in the marine environment or in fisheries management. Indeed management from insufficient scientific knowledge may harm the very environment that we are all trying to protect and improve.

Yours sincerely,

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