

Estonian comments to the questions set out in the Green Paper on Reform of the Common Fisheries Policy

Document COM (2009)163 „The Reform of the Common Fisheries Policy“

4.1. Addressing the deep-rooted problem of fleet overcapacity

1. Should capacity be limited through legislation? If so in which way?

At the level of Member States the capacity of the fleet should be addressed notably through the rights-based management. The Commission should promote the experiences of the best practices in the system of management of fishing rights. Estonia has a long experience in the implementation of the individual transferable fishing possibilities (ITQ, ITE).

2. Is the solution a one-off scrapping fund?

As it turns up of the practice of the EU the actual system of scrapping has not succeeded. One-off scrapping schemes are necessary. Balancing is a pre-requisite for sustainable management of fishing fleet.

3. Could transferable rights (individual or collective) be used more as a means to support capacity reduction for large-scale fleets and, if so, how could such a transition be brought about? Which safeguard clauses should be introduced if such a system is to be implemented?

Yes, they could. Estonia has the same experience from the beginning of the year 2001. This measure has significantly supported the capacity reduction of the fleet. Safeguard clauses should be implemented at the level of MS which should guarantee that operators could not sell their quotas outside the state. The right to sell or change quotas with other MS should be left to the MS.

4. Should this choice be left entirely to Member States or is there a need for common standards at the level of marine regions or at EU level?

At Community level it is necessary to affect the Member States to use the best practices of the management of fishing rights which contributes to the reduction of fishing capacity. The choice which management system to be implemented should be left to MS.

4.2. Focusing the objectives of of the fisheries policy

1. How can the objectives regarding the ecological, economic and social sustainability be defined in a clear, prioritised manner which gives guidance in the short term while ensuring the long term sustainability and viability of fisheries?

The core objective of the Common Fisheries Policy must be to restore and maintain the size of all fish stocks ensuring their exploitation at the maximum sustainable yield by 2015 as it was decided in Johannesburg World Summit on Sustainable Development. MSY levels for all fish stocks or marine regions should be set in their management plans. All measures, including finance measures, should be in accordance with this objective.

2. Should the future CFP aim to sustain jobs in the fishing industry or should the the aim be to create alternative jobs in coastal communities through the IMP and other EU policies?

Economic and social sustainability should be resulted from the main objective which is the ecological sustainability. If necessary, it should be supplemented by the diversification of fisheries and creation of alternative jobs in coastal communities.

3. How can indicators and targets for implementation be defined to provide proper guidance for decision making and accountability? How should timeframes be identified for achieving targets?

The best indicator based on scientific assessment is the proportion of fish stocks managed at the maximum sustainable yield from all fish stocks. For stocks managed by a long term management plan one indicator is the fishing mortality which corresponds to the criteria of precautionary approach. The schedule and objectives should be set in the long-term management plans.

4.3. Focusing the decision-making framework on core long-term principles

1. *How can we clarify and strengthen the current hierarchy between decision-making and implementation in order to encourage a long-term focus and a more effective achievement of objectives? What should be delegated to the Commission (in consultation with Member States), to Member States and to the industry?*

We support the decision-making framework at regional level. At the Community level the principal decisions should be made but their implementation could be delegated to MS according to the regional principles.

2. *Do you think decentralised decisions on technical matters would be a good idea? What would be the best option to decentralise the adoption of technical or implementing decisions? Would it be possible to devolve implementing decisions to national or regional authorities within Community legislation on principles? What are the risks implied for the control and enforcement of the policy and how could they be remedied?*

Regionalization of implementing decisions in the frame of Community legal acts is a good idea, but the best will be to implement them at the level of marine regions.

3. *How could the advisory role of stakeholders be enhanced in relation to decision-making? How would ACFA and the RACs adapt to a regionalised approach?*

Decentralization would improve the role of RACs in decision-making process.

4.4. Encouraging the industry to take more responsibility in implementing the CFP

1. *How can more responsibility be given to the industry so that it has greater flexibility while still contributing to the objectives of the CFP?*

CFP should assure the sustainable use of fishery resources while to achieve this objective more responsibility can be given to the industry to develop and implement the conservation and control measures through POs and other fishermen's organizations which will guarantee more efficiency in this respect. The best technical solutions such as when and where to catch the allowable quota set by public authorities should be left to the fishermen's organizations. Fee for fishing rights should be higher for those species which are managed beyond the MSY level.

2. *How could the catching sector be best structured to take responsibility for self-management? Should the POs be turned into bodies through which the industry takes on management responsibilities? How could the representativeness of POs be ensured?*

We think that the industry has to find itself the possibilities to gain the possible maximum profit from utilization of limited fishery resources. According to the market situation it would be reasonable for fishers to address to common activities or join the POs. Control and enforcement over fulfilment of fishing requirements must assured by Member States.

3. *Which safeguards and supervisory mechanisms are needed to ensure self-management by the catching sector does not fail, and successfully implements the principles and objectives of the CFP?*

In this respect being a member of POs and fishermen's organizations is motivated by possibility to be involved in decision-making process and at the same time common marketing and valorization of fishery products will contribute to increase the income. It would be up to POs and fishermen's organizations to provide according to their statute for the activity of their members applying conservation and enforcement measures to improve the situation. In any case the MS should remain the bodies that work out the regulations for use of resources and control measures for their application.

4. *Should the catching sector take more financial responsibility by paying for rights or sharing management costs, e.g. control? Should this only apply to large-scale fishing?*

We consider that the costs for fisheries management should be bared by sector which benefits from the use of the resources. Exploitation of natural resources, including fishery resources, should be paid by those who enjoy the access to the resources. Estonia has applied this principle step by step from the years 1990. In Estonia, the right to fish commercially is a

subject to a fee. The fees have been applied to cover partly the costs for management of fisheries and are paid in commercial fishery as in distant water, open-water, coastal and inland fishery and also in recreational fishery. Fees for fishing right in commercial fishery could not be higher than 4% of the gross fishing revenue obtained in the previous year based on first sale price. At the level of the EU the common fee for a resource exploitation should be weighed otherwise it aggravates the competitiveness of fishers of some MS.

5. *When giving more responsibility to the industry, how can we implement the principles of better management and proportionality while at the same time contributing to the competitiveness of the sector?*

There is a possibility for the POs and fishermen's organizations according to their statute to regulate marketing of their products and fishing activity contributing to their competitiveness. For example it is possible to agree on marketing conditions which would increase competitiveness of fish as a food product. Fish is caught when its quality is the best one.

6. *Are there examples of good practice in particular fisheries that should be promoted more widely? Should incentives be given for the application of good practices? If so, which ?*

Use of good practices should be promoted and appreciated widely through RACs and further regional management structures.

4.5. Developing a culture of compliance

1. *How can data collection systems be improved in the short and medium term to ensure coherent information for enforcement purposes?*

Data collection systems will be improved at the level of Community after adoption the new control regulation where new possibilities and requirements for electronic data collection will be provided which contributes to strengthen the control. In the long term the system should be completed again while after the implementation of any new system lacks and new ideas will appear. The exploitation of resources should be transparent which means that catch data should be public. We consider that the exploitation of public resources should be made public to all citizens.

2. *Which enforcement mechanisms would in your view best ensure a high level of compliance: centralised ones (e.g. direct Commission action, national or cross-national controls) or decentralised ones?*

All these proposed mechanisms would ensure a high level of compliance, but at the Community level mechanisms should be rather general given that at the Member State level they should be more detailed according to particular local situation. Efficiency and desire to manage the control over the fisheries will guarantee the success.

3. *Would you support creating a link between effective compliance with control responsibilities and access to Community funding?*

Yes, we would support it if there are sufficient and valid criteria to evaluate the efficiency of control.

4. *Could increasing self-management by the industry contribute to this objective? Can management at the level of geographical regions contribute to the same end? What mechanisms could ensure a high level of compliance?*

Management at the regional level should take into account the geographical peculiarities and exclude requirements set only at the political level, such as observers for small cetaceans in the northern part of the Baltic Sea. As the choices for exploitation of fishery resources are made by fishers according to their values, the high level compliance would be ensured by raising their awareness. In particular the research institutions should contribute to enhance the awareness of fishermen.

5.1. A differentiated fishing regime to protect small-scale coastal fleet?

1. *How can overall fleet capacity be adapted while addressing the social concerns faced by coastal communities taking into account the particular situation of small- and medium-sized*

enterprises in this sector?

When the fishing capacity in coastal fisheries is limited by number of gear (passive gear) it is not relevant to address to the adjustment of the overall fleet capacity as the measure of reducing the fishing capacity. Even though, in the northern countries it is possible to catch fish on ice at sea without using a vessel. To raise the selectivity of fishing gear and retraining for coastal fishers could be done by support from EFF.

2. *How could a differentiated regime work in practice?*

For small-scale fisheries the sufficient fishing opportunities for passive gear should be allocated from the total quota of the State. Fishing with trawls and seines in the area where passive gears are utilized should be forbidden. The particularities of the region should be taken into account and therefore it is not reasonable to manage fisheries of coastal communities at EU level.

3. *How should small-scale fisheries be defined in terms of their links to coastal communities?*

Allocation of fishing opportunities should be made by small management units (region, inland water body etc). Each Member State should define its small-scale fisheries and their social and economic links itself.

4. *What level of guidance and level-playing field would be required at EU level?*

The competence of MS should be the allocation of quotas between the coastal fisheries and open sea fisheries. There is no need to manage coastal fisheries at EU level.

5.2 Making the most of our fisheries

1. *How can long-term management plans for all European fisheries be developed under the future CFP? Should the future CFP move from management plans for stocks to fisheries management plans?*

According to scientific advice it is possible to work out the regional long-term management plans for fish stocks and the future CFP should be based to these management plans.

2. *Should we consider reforming the CFP in two steps, with specific measures to move to MSY prior to 2015 followed by measures to maintain MSY as the upper exploitation level after that date?*

Reforming the CFP should be made in two steps, with specific measures to move to MSY prior to 2015 followed by measures to maintain MSY as the upper exploitation level after that date.

3. *How could the MSY commitment be implemented in mixed fisheries while avoiding discards?*

In mixed fisheries the MSY level should be defined by stocks. If it is not possible to define the MSY by stocks then it should be defined based to one or several stocks as an indicator taking into account the by-catch of these stocks.

4. *What should the main management system be for Community fisheries and to which fisheries should it apply? Catch limitations? Fishing effort management? A combination of the two? Are there any other options?*

In case of directed fishery where the by-catch of quota-based fish species is small the catches should be managed through the quota and technical measures. In case of targeting fishery of several species the fish catches could be managed through limiting fishing effort and different technical conservation measures. Management of fisheries regions should take into account the particularities of the region and not apply the same measures to all regions.

5. *What measures should be taken to further eliminate discards in EU fisheries? Could management through transferable quotas be useful in this regard?*

It is not reasonable if a fisher has a quota only for one of the fish species to engage in mixed fisheries targeting several species as it creates unwanted by-catches. In Estonia there is a system of quota exchange which does not influence the bases of historical fishing possibilities. In this case the opportunity for by-catch is acquired by quota exchange. The

transferable quota system does not allow to solve the problems of discards. The discards should be forbidden from the gear in which fish has lost the ability of life. The main attention should be paid to fishing methods in order to prevent the unwanted by-catch. The by-catch should be counted against quota, including undersized fish. The selectivity of fishing gear should be improved. In some cases quotas for by-catch should be established. In order to reduce discarding the quotas should be increased so that it would stimulate the fishermen to adopt this system.

5.3. Relative stability and access to coastal fisheries

1. How could relative stability be shaped to better contribute to the objectives of the CFP? Should it be dismantled or if not should it become more flexible and if so, how? How could such alternatives be set up?

Fishing opportunities should be allocated to the Member States so that all Member States are provided by a guarantee to enjoy the access to all fishery resources and fishing activities based to the relative stability. When the Community has obtained new fishing opportunities, the Council has to decide their allocation in the interests of all Member States. Each Member State will decide the method of allocation the fishing opportunities among the ships flying their flag. We consider that in case of partnership agreements with the third countries access to fishery resources should be increased as these agreements are subject to a fee and therefore the core goal should be to utilize these fishing possibilities at the maximum level.

2. Should access to the 12 nm zone be reserved for small-scale fishing vessels?

The Member States according to their sovereign rights or waters up to 12 nm at sea from the baseline should maintain the right after 31 December 2012 to restrict fishing to the fishing vessels that traditionally had fished in those waters from ports on the adjacent coast, without prejudice to the arrangements under existing neighbourhood relations. We consider that the management of fisheries of Member States in their territorial waters should remain within their respective spheres of competence.

5.4. Trade and markets – from catch to consumer

1. How could market mechanisms be used to encourage the development of fisheries that are market efficient as well as sustainably exploited?

It is possible to develop sustainable management of fisheries through consumers' demands to buy products which are produced from fishery resources managed sustainably. From one side it expects that awareness of consumers will raise and from another side it is important to have a simple, clear and safe system for traceability for origin of products.

2. How can the future CFP best support initiatives for certification and labelling?

The requirements for labelling are applied which should provide a guarantee the transparency of the market. Different labelling systems addressed to consumer should be developed and reinforced.

3. How could traceability and transparency in production chain be best supported?

The implementation of the new control regulation adopted in November 2009 by the EU Council of Ministers will guarantee traceability and transparency.

4. How could the EU promote that fisheries products come from sustainably managed fisheries, providing a level playing field for all?

In the result of implementation of management plans of fish stocks the harvesting will be increased. Catches raise more in sustainably managed regions as their proportion in fish trade will be enhanced. At the same time all regions have the equal possibilities for implementation of management plans.

5. How can the POs better work to match production with market needs? Which new market based policy instruments could be implemented through POs? How can fishermen improve their position towards processing and distribution?

In order to match production with market needs it is important to have an adequate survey of

market demands. One of the possibilities to anticipate the demands of consumers is to establish the shorter chain and therefore the consumers have a better picture from industry production and possibilities. POs have to take a step forward and make processing and marketing their production themselves which enables fishers to have a better price of the fish caught, and at the same time this would allow to supply fish at lower prices. Furthermore it enables to have more adequate information on demand of the market as the chain of the market has grown shorter and the different parts of the chain are better informed. In order to improve the POs position towards processing and distribution, that they should go to the market not only as catchers of fish but should take the responsibilities producing the final products or proposing fresh fish directly to consumers, it is necessary to stimulate the POs to carry out structural changes.

6. *What is the role of trade policy in balancing the interests of producers, consumers and our relations with exporting countries?*

EU has fisheries agreements with the third countries where marketing with fisheries products has a significant role. There are some products with relatively high level of tariff which depends of quantity of fish in the EU market.

5.5. Integrating the Common Fisheries Policy in the broader maritime policy context

1. *In which areas does fishing industry interact closely with other sectors? Where specifically is interaction within the IMP required?*

Energy, infrastructure of ports, shipping, conservation of the environment. As the fisheries is one of the elements of integrated maritime policy it is always important take it into the consideration.

2. *How can the future CFP contribute to the continued access of fisheries, including both fishing fleets and aquaculture, to marine space, within an integrated spatial planning framework?*

Fishing fleet and aquaculture problems with the ports development should be elements of CFP. Thus it is possible to enhance the establishment of an integrated spatial planning framework in order to ensure further access to the sea. When the wind energy parks, gas pipelines are installed in the sea it is always important to consider their impact to spawning grounds and fishing areas.

3. *How can the future CFP best ensure consistency with the Marine Strategy Framework Directive and its implementation?*

The management plans of fish stocks are the important elements of the CFP and given that activities planned in the marine ecosystem will ensure the conservation of fisheries resources. On the other hand the conservation of marine ecosystem provides the proper conditions for life and spawning of fishery resources.

4. *How can the future CFP support adaptations to climate change and ensure that fisheries do not undermine the resilience of marine ecosystem?*

There is no evidence that fishing will decrease the resistance of fishery resources to the climate changes. At the same time this danger should be excluded by the sustainable use of fishery resources which is one of the cornerstones of the CFP. We consider that research related to climate change should be supported in order to prevent the economic damage and if necessary to ensure the structural changes of the fisheries sector.

5.6. The knowledge base for fisheries policy

1. *How can conditions be put in place to produce high-quality scientific research regarding fisheries in the future, including in regions where it is currently lacking? How can we best ensure that research programmes are well coordinated within the EU? How can we ensure that the resources are available and that young researchers are educated in this area?*

In order to secure high-quality scientific research for fisheries it is inevitable the sufficient financing at Community level and better coordination of research programmes. This will

prevent to spare in resources and eliminate overlapping in scientific research. It is necessary to harmonize the scientific methods in order to ensure the comparability of scientific data.

2. *How can the resources available best be secured and utilised to provide relevant and timely advice?*

The most important for improvement of the quality of scientific research is regionalization of research. Exploitation of resources will be improved when the States engaged in fishing in the same region, would coordinate and harmonize scientific research as much as possible. For example common experimental catches.

3. *How can we better promote stakeholder involvement in research projects, and incorporate stakeholder knowledge in research-based advice?*

In Estonia fishery companies are involved in data collection programs as in the Baltic Sea and NAFO regulatory area there are collectors of data or observers of cetaceans on board. The cooperation between scientists and fishers should be encouraged. The scientists should permanently promote their conclusions and methodology to fishermen.

5.7. Structural policy and public financial supporting

1. *What should be the top priorities for future public financial support and why? What changes can the sector not manage to bring about on its own and therefore require public financial support?*

Top priorities for the actual and future financial support should contribute to a sustainable development of fisheries. Permanent subsidies and subsidies for overinvestments should be eliminated. To make industry more viable one-off financial assistances should be focused promoting structural changes in industry/sector. Another important trend should be addressed to the financial support for using more environmental friendly and less polluting techniques as selective gears or hybrid engines for ships.

2. *How can we change the focus of EU financial resources to promote innovation and adaptation to new policies and circumstances? Does any new policy area require funding? Should public financial support be focused on specific transitions such as eliminating discards in the fishing industry?*

The priority of the Community should be financial support for implementations of measures based on management plans of fishery resources. At first one-off adjustment of the fishing capacity and effort should be addressed according to long-term management plans. In addition, it is important to implement new sustainable technologies in fishing, but at the same time alleviating the social impacts through training and vocational retraining and creation of alternative jobs in fishery dependant areas.

3. *How can synergy and coherence of possible CFP funds with other EU and national instruments be ensured?*

It can be ensured through national development plans which guarantee more integrity and coherence.

4. *How can a synergy between the pillars of a future CFP be achieved? Should public assistance be conditional on Member States' achieving policy objectives?*

All pillars should be joined taking in view of one goal which is the sustainability of fishery resources on which are grounded all other activities in fisheries sector and all structural assistance should be focused on that goal.

5. *How can EU financial resources be developed to provide the flexibility needed to respond swiftly when a crisis occurs?*

EU financial resources should be maintained to overcome crisis, establishing financing schemes which should provided in flexible and prompt manner. These reserves are necessary only for extraordinary cases.

6. *Should public financial support apply equally to all sectors (small and large scale)? Should the European Fisheries Fund continue to distinguish between convergence and non-convergence regions?*

Public financial support should apply to the sectors according to their restructuring which ensure the sustainability of resources or address to one-off alleviation of social impacts. It needs a sound consideration to distinguish the convergence and non-convergence regions.

7. *Should indirect support such as services related to fisheries management (access, research, control) continue to be provided free to all sectors of the industry?*

The industry should support such as services related to fisheries management (research, control). Financial contributions of the regional organisations should be covered by the EU means.

8. *Should permanent fisheries subsidies be phased out, maintaining, on a temporary basis, only those aimed at alleviating the social impacts of the restructuring of the sector?*

Permanent fisheries subsidies should be phased out. Only those one-off subsidies aimed at alleviating the social impacts of the restructuring of the sector should be maintained on a temporary basis.

5.8 The external dimension

1. *The core objective of the CFP is to promote responsible and sustainable fisheries. Is there any reason why the external dimension of the CFP should be driven by different objectives?*

The external dimension should be continued under the Fisheries Partnership Agreements and conventions in order to promote responsible and sustainable fisheries.

2. *How could the EU strengthen its role on the international stage to promote better global governance of the sea and in particular of fisheries?*

EU could strengthen its role on the international stage through the UN General Assembly, FAO and Regional Fisheries Management Organisations and Fisheries Partnership Agreements with the aim to promote the principles of sustainable fisheries and not only to extend its fishing opportunities.

3. *How can the EU cooperate with its partners to make RFMOs more effective?*

RFMOs set conditions for the exploitation of their fishery resources: TACs and quotas, number of fishing vessels permitted, fishing periods, closed areas etc and other technical and control measures. In these organisations the EU should enhance the management of resources in the MSY and it shall be aim in allocating the fishing opportunities.

4. *Contrary to the current free access principle in international waters, should fishermen pay to the right to fish in the high seas under the governance provided by RFMOs?*

The EU should continue to pay a financial contribution of RMFOs. At the same time fishing in international waters provides the commitment to ensure the investigations for fishery resources, surveillance of fishing activities but these costs should be covered by industry.

5. *How can objectives such as investment promotion (creation of joint-ventures, transfer of know-how and technologies, investments and capacity management for the fishing industry ...), creation of jobs (on vessels, in ports, in the processing industry) or promoting good maritime governance be pursued in the framework of future international fisheries agreements?*

Investment promotion or promotion of good maritime governance should pursued in the framework of political dialogue with administrations and sectors of international partners, including the industry. The EU contribution should be focused on development of sustainable fisheries in partner countries.

6. *Are the FPAs the best instrument to achieve sustainability beyond EU waters or should they be replaced by other forms of cooperation? Should the regional perspective be explored and either substitute or complement a streamlined bilateral one?*

The Community should continue the FPAs and strengthen the application of the principles of sustainable fisheries in these agreements.

7. *How could we make scientific research to assess the sustainability of fish stocks and the control of the fishing activity more transparent and efficient?*

The methods of scientific research should ensure the permanent data collection, processing and analyse to enhance the sustainable use of fishery resources. Methods for estimation of fishery resources should be examined in Scientific, Technical and Economic Committee and approved at the level of the Community.

8. *How can we assure better cooperation and compliance with new regulations in developing countries?*

The better cooperation and compliance with new regulations in developing countries can be assured by new bilateral agreements reflecting new and realistic developments.

9. *Should EU operators cover all the costs of their fishing activities in third country waters or should the Community budget continue to support part of these costs?*

The costs made by ensuring the fishing possibilities should be covered by the industry.

10. *How could we contribute to increasing the fisheries management capabilities of developing countries, e.g. through targeted assistance?*

In the assistance programs bigger attention should be paid to conservation and enforcement measures and assistance should be contributed through targeted assistance which must be audited.

11. *Should the integration of European fishing fleets and interests in third countries be actively pursued as an objective of the external dimension of the CFP with a view, in particular, to support the development of the concerned partner countries?*

The development of the concerned partner countries should be supported with a view of sustainability, ensuring fish as a food in their local market. The interests of the EU fleet in third countries should be integrated with the local interests.

12. *How can we reinforce the synergies between the different forms of support and the different partners in the fisheries sector reinforced and the development strategies of coastal states?*

It is important to establish development programs. If the development strategies provide the foreign assistance it should be utilized with a view of principles of sustainable management.

13. *Should aquaculture be included in future partnership agreements?* No, it should not.

14. *How could the potential of small-scale fisheries in third countries for sustainability, ecological and social benefits be enhanced?*

It would be enhanced through cooperation forms such as POs in the EU providing a guarantee for better cooperation, through valorization and common marketing of fish which contributes to growing incomes.

5.9. Aquaculture

What role should aquaculture have in the future CFP: should it be integrated as a fundamental pillar of the CFP, with specific objectives and instruments, or should it be left for Member States to develop on a national basis? What instruments are necessary to integrate aquaculture into the CFP?

Yes, aquaculture should be integrated to the future CFP.