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## - THE CPMR'S POSITION STATEMENT ON CFP REFORM -

**GREEN PAPER: Reform of the Common Fisheries Policy - COM(2009)163 final**

*(Approved by the CPMR General Assembly - 1/2 October 2009 - Gothenburg, Sweden  
And completed by the CPMR Fisheries Intercom Group)*

### PREAMBLE

As the Commission's Green paper on Reform of the Common Fisheries Policy acknowledges, awareness of the prime importance of our oceans and seas is growing, as is the need to preserve them and exploit them sustainably. Sustainable fisheries will benefit everyone from the fishermen to the consumer - and will conserve our marine environment for our benefit and that of future generations. The CPMR shares these views, and strongly endorses the Commission's current initiative to launch an integrated European maritime policy. CPMR has actively participated in the discussion, design and delivery of the first action plan in this area. As an advocate for the EU's maritime regions, we are determined to make an ongoing and constructive contribution.

This involvement has enabled it not just to take stock of the issues and gauge the extent of the difficulties this initiative will face, but also to understand the very great potential advantages of having an Integrated Maritime Policy. It also showed how urgent it is to devise policies that take all economic, social and environmental factors into account, as well as ongoing changes in governance and the challenges arising as a result of the globalisation of trade, the limitations of the system we have used until now and the consequences of climate change.

For the CPMR, the debate launched by the Green Paper on the reform of the Common Fisheries Policy (CFP) is thus taking place in a context which gives the organisation a particular responsibility. It provides a unique opportunity. We in Europe and the world have entered a period of uncertainty about the development model we should pursue. The current crisis also presents us with an opportunity to hold an extensive debate about a possible new model that would restore confidence in the fishing industry to citizens and consumers as well as entrepreneurs of industry, demonstrate the effectiveness of public financial support, give emphasis to innovation and introduce more flexibility and visibility in the system. In the opinion of the maritime regions, CFP reform thus constitutes a great opportunity to give shape to a new model and introduce an approach based on the long-term needs of this policy. This is how the CPMR intends to contribute to the debate that has just begun.

The CPMR also believes that the debate on CFP reform offers an opportunity to restore hope to an industry that remains considerable in many coastal regions in terms of jobs and wealth creation. The fishing industry is essential in terms of the contribution it makes to providing employment in fragile coastal communities, to food policies, the maintenance of biodiversity and the promotion of a cultural heritage that is integral part of the European model. Restoring hope and confidence is particularly necessary, as this reform must also be designed to make the industry attractive for young Europeans.

The CPMR's position is underpinned by its concern to place the debate in the context of a new development model that draws lessons from the current crisis affecting our societies and economies, and its conviction that the fishing industry must be able to attract the involvement of young Europeans.

## 1. VERDICT ON THE CFP SINCE 2002

The Green Paper delivers a **very harsh verdict on the CFP since 2002**, pointing out that the objectives set have not been met: the result has been overexploited fish stocks, fleet overcapacity, low economic resilience, poor compliance with regulations by member states and the industry, which have significantly increased the number of derogations, exceptions and specific measures, and inappropriately heavy public financial support, which artificially maintains excess fishing capacity.

The CPMR broadly shares this view, although the factors mentioned above vary from sea basin to sea basin; it nevertheless believes that the current situation would probably be even worse if the CFP did not exist. It also wishes to underline that the reasons leading to this verdict relate as much to the way in which the instruments designed to implement the CFP have been used as to the actual instruments themselves. It also agrees that a comprehensive and far-reaching solution for the CFP, that is to be accepted and supported by the fisheries industry, is likely to reverse the current trend.

It stresses that, to achieve this and thus obtain the support of people working in the sector, any reform must be based on the following principles:

- the CFP is a common policy and should remain one;
- the CFP is a public regulation policy for the management of a common natural resource;
- the CFP is a sustainable policy which, alongside other policies, must guarantee the renewal of the natural resource it exploits and seek to ensure sustainable fishing communities;
- the CFP must take account of the fact that fishing is also an economic activity in its own right and that it therefore must seek to be efficient and competitive in its development;
- the CFP is an economic policy that should enable fishing communities to have a standard of living comparable to other categories of citizens;
- the CFP is a "territorial" policy that should structure marine and coastal areas;
- small-scale fishing and the seafood sector, which abide by specific rules different from those of industrial fishing, must be recognised in the CFP in terms of their social role and the part they play in economic redistribution;
- the CFP needs to have clear, simple and easily applicable rules so that stakeholders can act in a legally safe manner;
- the CFP is a policy that should respect and allow for changes in European society and meet global competition by emphasising all aspects of product quality;
- the CFP is a policy that operates within a global market and must therefore protect European professionals from distorted competition;
- the CFP is a policy that should take account of social criteria regarding living and working conditions;
- in compliance with Article 178 of the Treaty, the external dimension of the CFP should not consider fishing as a part of development cooperation policy, in contrast to other economic sectors.

The Green Paper identifies **five structural failings**, which, the Commission believes, explain why the objectives set in 2002 to ensure the viability of fisheries have not been achieved:

- fleet overcapacity;
- imprecise policy objectives resulting in insufficient guidance for decisions and implementation;
- a decision-making system that encourages a short-term focus;
- a framework that does not give sufficient responsibility to the industry;
- lack of political will to ensure compliance with regulations and poor compliance by the industry.

The CPMR believes that the different factors mentioned are of varying importance when it comes to explaining the current situation. It believes that three factors—the imprecise strategic objectives, the decision-making system that encourages a short-term focus and the lack of political will—are of particular importance in the current situation. It also stresses its belief that this situation is partly due to the sectoral design and delivery of public policies.

## **2. THE CPMR'S POSITION ON THE CFP REFORM GREEN PAPER**

As an advocate for the EU's maritime regions, the CPMR has focused on the following points:

- inclusion of the CFP within Integrated Maritime Policy;
- transformed governance;
- efficient management tools and models;
- more effective public financial support;
- appropriate support for small-scale coastal fishing and seafood production;
- a positive vision of the future;
- a significant boost for transnational and interregional cooperation.

### **2.1. The future CFP must be a large and prominent part of Integrated Maritime Policy (IMP), on an equal footing with other strands**

The CPMR believes that coastal and marine waters will be increasingly subject to competition between different uses and that the interrelationship between fishing and aquaculture activities can only be managed within a general framework for organising maritime and coastal activities.

It also believes that the fishing industry will only be able to ensure its voice is heard on such sensitive issues as environmental and health policies, controls and trade policy within a wider framework.

With regard to approaches and tools for implementing IMP on coasts and in marine waters, the CPMR believes that integrated coastal zone management (ICZM) should be promoted as an overall framework for fostering cooperation between the different stakeholders. It believes that this is the most effective way of developing forums for dialogue and negotiation, of which there are still too few.

It is favourable to the introduction of maritime spatial planning as a tool for regulating the way marine and coastal waters are used. It nevertheless stresses that this tool must be adapted to the specific institutional contexts of each sea basin and that all levels of governance must be involved in such initiatives. The regional level is particularly relevant here, because it guarantees the coordination of territorial strategies.

With regard to the need to make different activities in coastal areas and waters compatible with one another, the CPMR wishes to draw attention to the situation of the tourism industry. It is often vital for jobs and wealth creation in coastal communities. However, it should not be considered as a replacement activity for fishing. Fishing activities are an important aspect of a place's attractiveness to tourists and there are very close links between the fishing industry and coastal territories' heritage and culture.

### **2.2. Transformed governance**

Generally speaking, CFP reform should be exploited in order to clarify the responsibilities of the various stakeholders in the fishing industry. Future governance should be multilevel, which, as far as the current situation is concerned, means that both the action of industry professionals and maritime regions should be given a considerable boost.

Two aspects of this multilevel governance should be emphasised:

- the EU must continue to define the general support framework by improving the predictability of these rules; the CPMR believes that setting rules and objectives that have been adopted at the last moment on an annual basis penalises the whole sector. Strengthening control rules is another important issue: the regions want more of them, but they should be more targeted and penalties for offences should be made truly dissuasive;
- the CPMR believes that the regional advisory councils (RACs) were the main success of the last reform and they must be maintained and strengthened in their role as a platform for dialogue and initiatives at sea basin level, which the CPMR believes is particularly relevant when it comes to considering specific circumstances and introducing the necessary flexibility in the application of general rules. Bearing in mind the powers they have in the fisheries area, it asks for the maritime regions (which are already represented in many RACs) to be systematically involved in the management bodies and decisions of all RACs.

In a multilevel governance system, the regions have to get involved at several stages in coordination with the EU and member states. It will be particularly necessary to strengthen the regions' involvement when the CFP is integrated within the overall framework of IMP because they are the most suitable and most effective level when it comes to implementing territorial development strategies in coordination with other relevant policies in coastal areas.

The CPMR considers that although the Green Paper accurately describes the major weaknesses of the existing CFP, it avoids the details and complexities of fisheries management across Europe. This is perhaps necessary to avoid a lengthy consultation document but it is also demonstrative of a key systematic difficulty in the current regime – that using a single approach to describe and resolve the many different issues faced by fisheries managers across Europe ignores regional variation. Fish stocks, fishing methods, fleet structures, and economic and social drivers vary significantly across regions. Although a basic framework and a number of common principles must be agreed at EU level, this variability must be taken into account. Therefore, at the heart of significant change to fisheries policies must be greater regionalisation of the CFP.

Giving subnational levels of government greater responsibility for management and control would solve the problem of the fishing industry having insufficient responsibility, which the Green Paper identified as being one of the five structural problems leading to the failure of the previous reform.

### **2.3. Effective instruments designed to achieve clearly established goals**

The CPMR's maritime Regions consider that the debate on the instruments designed to implement the CFP must look as a priority at how far and under which conditions these may or may not contribute towards achieving the policy objectives and principles mentioned in point 1 above. It is only within this perspective that such a debate will be meaningful and of interest for the Regions, which place their solidarity as maritime territories above any points of contention they may have on any of the various technical aspects.

The maritime Regions wish to specify that they do not consider any of the issues mentioned in the Green Paper as taboo, apart from the 12 nautical mile limit, that they are open to discussion and that they do wish to see the CFP evolve; in this respect they ask that the upcoming debates, particularly those on deciding whether to maintain, not to maintain or modify instruments such as relative stability and the system of TACs and quotas, should be led with the following considerations in mind:

- assess any proposals aiming to define the outlines of the future CFP with regard to their ability to meet objectives and respect the principles set out in point 1 above;
- ensure that the system to be introduced is reactive and flexible; this is in order to take account of the differences in resources, fleets and types of fishing that exist in the different European sea regions and to provide those working in the fishing sector with a maximum degree of clarity and coherence in terms of public action;
- ensure continuity in the way the CFP functions;
- take into account the changes needed to ensure that the future system works correctly, as well as the prospects concerning the development of the fishing sector in a context marked by globalised trade and the demand for sustainability;
- assess the short-, medium- and long-term effects of any changes that might be proposed to the CFP system;
- any changes in the CFP system should be brought in gradually and progressively and would benefit from major support measures.

### **2.4. Effective management methods designed to support actors in the fishing sector**

For the CPMR's Regions, the question of management methods to be introduced in the framework of the future CFP must be addressed and dealt with in the same way as that of instruments. Management methods must be considered as tools designed to support the fishing sector and the people whose livelihood depends on it, and not merely as an end in itself.

Consequently, the Regions consider that it is relevant to make the distinction between small-scale (or artisanal)/coastal fishing on the one hand and deep-sea/industrial fishing on the other, even though it does underline that under no circumstances should these two categories should be deemed to be “watertight” and totally differentiated from each other. This is also why there is a need for flexibility, as mentioned in the previous point.

For the Regions, such a distinction is relevant mainly on account of the fact that coastal/small-scale fishing fulfils functions that go beyond the fishing sector alone. This type of activity plays a major role in the planning of coastal territories, the development of coastal zones and maintaining communities. For this reason, it is necessary, as mentioned in point 2.1., to include this type of fishing in an integrated maritime policy.

Recognising that it is relevant to make the distinction between these two types of fishing does not prevent the maritime Regions from considering that a response might also be found in diversifying management methods, so that they can be adapted to the actual circumstances encountered. Also in relation to this point, the discussions that will be getting under way should aim to uphold solutions that will be most capable of meeting those objectives on which the Regions agree. Although such a distinction can be applied to all of Europe’s sea regions, the CPMR wishes to underline that it is of particular importance for the Mediterranean and Baltic Sea.

It would therefore appear necessary to define in detail what is meant by artisanal fishing or small-scale coastal fishing on the basis of indicators that are not just limited to vessel size.

## **2.5. Maintaining public financial support**

The European Fisheries Fund (EFF) is the CFP’s essential and necessary financial support instrument. Bearing in mind the difficulties encountered by the fishing industry, the CPMR believes that it should not just be kept but also reinforced in order to cope with expected difficulties in the short and medium term.

Public financial support should be maintained and dealt with in the reform as a specific issue. It should be given to all sectors, and funding programmes should take the specific circumstances and needs of each fishery and sea basin into account.

Public financial support should be authorised for fisheries-dependent communities.

Any public financial support in favour of the fishing sector must comply with competition rules. However, there is a need for a flexible regime which can be adapted to the specific circumstances of individual fisheries areas.

The CPMR believes that reductions in fleet capacity should be made further to an assessment of accompanying infrastructure and fleets’ ability to remain viable. Many regions must have modern, efficient and competitive fleets if they are to attract young workers to this industry.

Regarding the issue of fleet overcapacity, the CPMR accepts that the EU fleet in general has a problem of overcapacity. However, the Green Paper treats this issue too broadly and crudely. Capacity is not simply a question of “too many vessels chasing too many fish” but also of how, where and when fishing is done. Capacity is the subject of considerable variation according to region, fishery and fleet sector, and varies over time as a consequence of fluctuating activities and stock abundance. A better understanding of overcapacity at regional level will allow appropriate measures to be developed and implemented with closer involvement of the industry.

A detailed assessment of capacity should be used to determine where overcapacity exists at a regional level. Then, working with member states and stakeholders in the different European sea basins appropriate one-off capacity reduction schemes should be developed to address that overcapacity. Ideally, this would be supported by legislation. That legislation should reflect the broad outlines of permitted capacity but look to member states to work with relevant stakeholders to achieve EU level objectives on the basis of agreed regional management plans.

Regarding public funding priorities, the CPMR stresses the need to pursue and develop the course of action pursued by Priority Axis 4 of the current EFF on the sustainable development of coastal fishing zones.

## **2.6. Forging a positive vision of the sector's future through CFP reform**

For the CPMR, the main issue at stake in the reform begun by the Green Paper is to succeed in restoring hope and confidence to the fishing industry and all its stakeholders and to ensure viable maritime communities. Beyond the positions set out above, to achieve this it will be necessary to meet the following conditions:

- to give a positive image to the sector by increasing its attractiveness and improving the living and working conditions of people that work within it;
- to support and promote training schemes, including continuing training, for people in the industry;
- to guarantee the transparency of EU intervention so that stakeholders can acquire a clear understanding of the CFP's guidelines and organisation, as well as good knowledge of the rules applying to their activity, including those set by policies other than the CFP;
- to give fishing professionals a medium-term outlook for the exercise of their profession;
- to ensure that the fishing industry is protected from competition that is not subject to the same rules.

Lastly, the CPMR stresses the importance of:

- developing cooperation between stakeholders in the fishing industry and the scientific community;
- putting an ever greater emphasis on quality standards;
- taking the consequences of climate change into account in the CFP, and above all to develop adaptation strategies;
- develop research and the right to experiment.

Establishing a positive vision for the future also implies providing an effective response to two points currently viewed on as problematic. These are the issues of discards and control.

With regard to discards, while the CPMR considers this practice to be unacceptable, it acknowledges that it is a complex issue which has many different causes. Too low quotas can lead to discarding in the same way as an insufficient market for some species means that there is no incentive to land these catches. Even technical measures such as the most selective nets are not enough in themselves to totally prevent catching unauthorised fish.

A reduction of effort scheme as proposed in the Green Paper, would not on its own be enough to solve the problem of discards. A whole raft of measures including technical measures, greater flexibility in quota swaps, more suitable management methods and a differentiated approach based on sea basins could provide some responses to the issue of discards.

Any new regulation in this area should be preceded by a detailed impact study dealing with environmental and socio-economic aspects and safety at sea.

Whatever the case, the CPMR believes that this question must be examined urgently in more depth by carrying out additional analyses to help to gain a better understanding of the full complexity of the issue, leaving open the option of two systems if necessary - one for specific fisheries and another for mixed fisheries.

With regard to the issue of control, the CPMR believes that it is important to draw on existing regulations, which appear to be adequate provided they are correctly and fully applied. It also recalls the importance of carrying out land-based controls and believes that the issue of control needs to be considered in light of its initial purpose, which is to allow professionals from the industry to carry out their business against a background of healthy competition.

Regarding Maximum Sustainable Yields, the attainment of healthy ecosystems should be an underpinning principle of CFP, with fish stocks managed at sustainable levels of abundance and exploitation, which in turn should ensure sustainable and viable fishing communities. This means working to meet our commitment to achieve maximum sustainable yields (MSY) from fish stocks by 2015.

There is however a number of challenges with this approach and some difficulties in collecting the information needed to demonstrate whether a stock is moving towards or away from MSY. There are also difficulties in applying MSY principles in a mixed fishery. Mixed fisheries management measures are generally aimed at a level which affords greatest protection to the most vulnerable stocks as seen in the EU Cod Recovery Plan. The result is that associated stocks are likely to be fished below MSY levels.

There is a growing understanding of the interdependency of fish stocks and the need for a multi species based or ecosystem approach to fisheries management. For this reason fisheries plans rather than fish stock plans should be developed at an ecosystem level, which also argues for a regional approach and a long term approach to fisheries management.

## **2.7. Strengthening the social dimension of the CFP**

Fishing is an activity that has a very high "accident record" for a number of reasons, one of which being the inconsistencies that exist between sectoral policies within the maritime sector. To cite but one example, we might mention tonnage constraints imposed with a view to reducing the fishing fleet, which result in making vessels inhabitable and more dangerous for fishermen.

It therefore appears crucial for requirements concerning safety and living conditions on board fishing vessels to be fully taken into account in the future CFP.

With regard to safety, the CPMR asks in particular for coherence to be introduced between CFP rules and the size of vessels as well for the inclusion of safety requirements on fishing equipment. These safety requirements must therefore be taken into consideration when it comes to the issue of financial support and renewal of the small-scale fishing fleet.

The CPMR also states that it is in favour of systematically carrying out an impact study prior to any technical measure, so as to assess its consequences on the safety of fishermen and their working conditions.

Moreover, the maritime Regions underline that the period covered by the future CFP must see the actual and effective application of international agreements that have already been signed, but which are not yet applied with respect to living and working conditions.

Finally, the CPMR underlines the need to pay particular attention to the training of workers from the fishing and aquaculture sector, since as far as the Regions are concerned this represents a major challenge in terms of making the sector attractive.

## **2.8. Boosting transnational and interregional cooperation**

The CPMR notes that the instruments currently available for developing transnational and interregional cooperation projects offer little scope for meeting the needs expressed by the fishing industry. Projects funded during the last programming period concerned very limited aspects that were often on the margins of the mainstream fishing industry. Outside its Priority Axis 4, the EFF offers no possibilities for developing cooperation projects.

Nevertheless, the development of RACs has greatly helped to create a culture of dialogue and exchanges between partners in the zones they cover. The scope of the RACs in terms of processing proposals representing a broad consensus among stakeholders could be developed further through the participation of maritime regions in the RACs where this has not yet happened.

The CPMR thus believes that CFP reform should take account of these new cooperation needs, above all those that have arisen as a result of the new culture of exchanges and dialogue forged by the RACs.

These new needs should focus on:

- sharing knowledge;
- the common understanding of issues and management methods;
- the preparation of long-term management plans;
- taking into account the consequences of climate change;
- covering training needs.

## **2.9. The fisheries products market**

**Regarding regulation**, the CPMR is in favour of introducing mechanisms designed to protect European production from imports that do not respect the minimum rules for sustainable fishing in terms of social and environmental aspects and traceability particularly through eco-labelling.

From an internal point of view, it is in favour of maintaining the current Common Market Organisation so as to have access, if need be, to a range of market intervention instruments (storage measures, subsidies, aid for market withdrawals).

**Regarding the organisation of the profession**, the CPMR considers that Producer Organisations (PO) and Fishermen's Organisations should be encouraged to structure themselves with regard to their activity both at sea and on land (sales) so that they are geared towards "catching to sell and not selling what has been caught".

It is also in favour of EU intervention aimed at modernising and improving efficiency in the way POs work, particularly by means of networking auction markets and a special effort to provide them with the information they need.

With regard to pricing, the CPMR considers that trade policy should have a broader vision than it does at present and that it needs to ensure that competition rules are respected. Balance needs to be established between producers and buyers to be able to introduce safeguarding measures for products which, for conservation reasons, have a limited production. At the same time, trade mechanisms need to be designed to prevent products from unsustainable sources from entering EU markets.

Finally, the CPMR states that it is in favour of measures designed to promote produce from small-scale fishing and ecologically responsible production using sustainable methods of fishing.

## **2.10. Exploiting the EU's aquaculture potential**

The CPMR shares the observation made in the Green Paper on the increasingly important place that the aquaculture sector is set to occupy as a global food provider. It considers that aquaculture is currently an important activity providing employment in coastal and rural areas and that it has further potential for creating skilled jobs and wealth in coastal areas.

It must therefore constitute a basic pillar of the CFP while being fully included in the Integrated Maritime Policy.

The CPMR underlines that the development of European aquaculture is still subject to a series of constraints and requirements - related to water, land, health and environmental standards in particular - which prevent it from expressing its full potential. Streamlining the rules (including stepping up legislation) and improving the coordination of policies would be a way of overcoming these difficulties.

From this point of view, the CPMR considers that it is necessary to step up the implementation of the principles of integrated coastal zone management and planning, one way being through the use of integrated maritime planning instruments.

## **2.11. The external dimension of the CFP**

The CPMR welcomes the introduction of this dimension in the formulation of the new CFP, inasmuch as this corresponds both to the context of globalisation in which EU businesses work - including those in the fishing sector - as well as the fact that it helps to take into account the role that those working in the European fishing sector play in the development of this sector within developing countries.

It states that it is in favour of introducing balanced agreements that allow all parties to take advantage of this type of cooperation.

It underlines that the external dimension of the CFP is not primarily a cooperation policy. This dimension does nevertheless need to address production conditions in countries with which agreements have been signed in order to promote sustainable fishing and combat illegal, unregulated and unreported fishing.



## **FINAL REMARKS**

Lastly, there is still a problem concerning the specific situation of the Outermost Regions, which has not been dealt with by the Green Paper. These regions have a very specific problem as far as the CFP is concerned, because no clear decision has yet been taken on whether their fisheries should be covered by internal EU provisions, dealt with via its external dimension, or a mix of the two approaches.

At all events, the CFP in the Outermost Regions has a different system based on the compensation of additional costs. Is this approach sufficient? Is it adapted to the need to develop this industry in these areas?

These are some of the issues that have not yet been settled. The CPMR will thus contact the Conference of the Presidents of the Outermost Regions to establish some points of consensus so that these regions and their specific circumstances can be integrated into any changes introduced by the future reform.