



**ANGLING**  
TRUST

**THE VOICE OF ANGLING**

**RESPONSE TO THE COMMISSION OF THE EUROPEAN COMMUNITIES GREEN  
PAPER, REFORM OF THE COMMON FISHERIES POLICY, COM(2009) 163 FINAL**

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# **EU Common Fisheries Policy and the Marine Resource**

**A Proposal to Restructure the CFP**

**for the Future Sustainability of**

**Fisheries and the Marine Environment**

**To: European Commission – Directorate-General for Maritime Affairs and Fisheries**  
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## INTRODUCTION TO THE RESPONSE

The Angling Trust is the recognised representative body for Recreational Angling (RA) in England. As such it seeks to represent the views of some 4 million participants of which some 1.5 million people pursue their activity targeting marine fish.

Recreational anglers are stakeholders in the common resource of the fish in the seas, which cannot be regarded as in the sole ownership or control of commercial interests,

These recreational anglers are a cross section of the community in gender, age, social status and wealth.

Angling Trust and its members have a vested interest in the reform of the current Common Fisheries Policy.

This Angling Trust response to the CFP Green Paper (GP) is delivered from the recreational angling point of view.

### Principal Concerns

Our principal concerns are;

- the catastrophic decrease in fish stocks
- the fact that many stocks now only consist of small immature fish
- the more or less complete disappearance of some species
- the ridiculous setting of Minimum Landing Sizes, MLS, well below the maturity levels of the species they are supposed to protect
- the continued discarding of undersize fish caught in nets of minimal mesh size
- the confusion within the EU of the definition of recreational fishing. Recreational fishing might better be called artisanal fishing, while recreational angling might better be separated from recreational fishing and termed as RA, Recreational Angling.

Whilst the GP refers to recreational fishing, which we assume includes recreational angling, the new CFP needs to take account of the markedly different impacts that recreational fishing with nets and long lines – small scale commercial gear in fact – and recreational angling with rod and line has on fish stocks and the aquatic environment.

Recent discussion of Article 47 (now Article 55) of the Council Regulation establishing a Community control system for ensuring compliance with the CFP, COM(2008) 718 adopted by the Council 10 November this year has propelled RA into the limelight. It is therefore only right that the difference between recreational fishing and recreational angling is understood by, and defined within the CFP, clarifying any confusion between the two.

The Commission should be aware of the RA definition drawn up by the European Anglers Alliance and presented in Brussels by Jan Kappel, the EAA and EFTTA lobbyist . This defines Recreational Angling as –

***“Recreational angling is the activity of catching or attempting to catch fish, principally by rod and line, or pole for non-commercial purposes; recreational anglers do not sell the fish they catch.”***

Furthermore –

***“compared by their impact on fish stocks and the environment, recreational angling is by far the most sustainable of all types of fishing - commercial and non-commercial – with highly selective catching gear and a low mortality rate of fish not to be retained.”***

In the following text we have used the Green Paper headings, paragraph numbers etc, to facilitate access and reference to it. However in many instances our comments necessarily cover more than the narrow heading.

## **1 A VISION FOR EUROPEAN FISHERIES FOR 2020**

The Angling Trust welcomes the vision for 2020. In particular we are pleased to see that Maximum Sustainable Yield, MSY, is now linked to ‘larger fish populations composed of mature and bigger fish’ rather than fishing stocks down to immature fish and “recruitment fisheries”.

Not only will the improvement in the size and quality of the stock benefit the commercial sector, it will also lead to increased recreational angling participation, enjoyment and socio-economic benefits. This will be particularly important for the suggested increase in European populations living along the European coastline (Para 3) and their demands, not only for high quality locally produced food, but, inevitably, for the recreational opportunities to catch it themselves.

## **2 INTRODUCTION**

We welcome the views expressed in the introduction. In particular recreational anglers (RA) would agree that a wholesale and fundamental reform of the CFP is needed to get both the fish stocks and all the stakeholders, commercial and recreational fishermen including the angling sector, out of the vicious circle of decline of recent decades. It must not become yet another piecemeal reform protecting existing practices.

Under Para 5.2, “Making the most of our fisheries” we refer to the problems associated with high fuel prices and how control of the fishery by ‘days at sea ‘ limits could disastrously affect inshore stocks without some other means to control fish mortality.

With the anticipated emergence of new employment sectors for the coastal community it should not be overlooked that the hoped for improvement in the abundance and quality of fish stocks will allow the inshore fleet to diversify into recreational angling charter work, providing alternative employment possibilities and helping to reduce the catch effort of commercial fisheries and increase the economic value of landings.

By way of the EU Treaties the EU has granted itself exclusive rights to establish fisheries management as “one of the exclusive competences of Community”. In this they have proved completely incompetent presiding over a massive decline in European fish stocks, **which are in fact a publicly owned resource**; not the exclusive property of the EU Commercial Fishermen.

Whilst it is acknowledged that marine fish stocks had been declining for many years prior to the inception of EU policies the current CFP has failed to halt the decline.

**It is imperative that future policies concentrate on reversing the decline and achieving the “Vision for European Fisheries” presented in Para 1 of the Green Paper.**

However, given that similar, promising, reforms of the CFP were announced in March of 2001, for delivery in January 2003, and have, to date, delivered negligible benefits to the marine ecosystem, the commercial fishing industry or recreational anglers, Angling Trust is mindful of supporting another false dawn and is committed to seeing that the clear objectives of the 2011 reform are met.

The new CFP needs to overcome the current corruption of sustainability by subjective national interests with concerns only for the maintenance of an over capacity fleet and the jobs which depend on such over capacity.

In future suggestions regarding the sustainability, conservation and long-term management of aquatic resources for the benefit of the common good must not be consigned to the waste bin of “not achievable” because of the obdurate attitude of member states who wish to continue to maintain what has been proven to be unsustainable fleet capacity.

The new CFP must consider the need for sustainable management of the resource with an integrated programme of development embracing the needs of all interests, stakeholders and users.

The Green Paper acknowledges that “fish move across national jurisdictions” and that fishermen have followed them for long before the CFP was formed. As fish stocks do move across international and fleet boundaries there does need to be overarching control of fisheries from a central organisation; the regulation can not just be left to national and local control. **The control and enforcement of any regulatory system needs to be independent of the catching sector, be it commercial or recreational.**

### **3 THE CURRENT COMMON FISHERIES POLICY AND ITS OUTCOMES**

This section lists the disastrous outcomes of the current policy in a very frank manner –

- 30% of stocks outside safe biological limits, beyond MSY
- Fleet reduction policies at 2% a year being outstripped by technical advances of 3% a year
- Derogations, exceptions and specific measures to member states which negate the EU policies leading to an unenforceable set of restrictions.
- Funding for fisheries which exceeds the value of catch.

And all that on top of the fishery enjoying free access to the natural resource it exploits!

As recreational sea anglers we totally agree the analysis presented.

### **4 OVERCOMING THE FIVE BASIC STRUCTURAL FAILINGS OF THE POLICY**

We would see these as -

- Too many boats.
- Chasing too few fish.
- Discarding them for one reason or another.
- Being subsidised to do it.
- And not being properly controlled while they do it!

#### **4.1 Addressing the deep rooted problems of Fleet Overcapacity**

As noted earlier in the Reform Paper technical creep is outpacing reduction in capacity by 1%. However this figure seems very low, particularly for the under 10m fleet, where an old monohull vessel is replaced by a modern catamaran which may be only 9.95m long but is possibly 5m beam. The new vessel probably has the fishing capacity of a 15 to 18 m monohull. It probably has at least twice the speed and much greater sea keeping capability. We would agree that the CFP must have built in mechanisms to ensure that the size of European fishing fleets is adapted and remains proportionate to fish stocks. The fleet can not be allowed to go on increasing the amount of nets, pots or hooks it sets.

#### **Q “Should capacity be limited through legislation? If so how?”**

It would seem that a new approach is needed. Limits on fishing capacity have been based on vessel power, and as noted above the fishing capacity of new vessels is far greater than old boats. Vessel power is a measure of its ability to tow a net, not its ability to set static nets or pots.

We would entirely agree with the statement made by FISH and SAR in this respect.

*“Establishing instruments and competencies which deliver sustainable fishing power at an EU and regional level. This should include legally binding and time bound fishing power limits per fishery or group of fisheries in a given area. Fisheries management should be based on fishing power rather than catches or fishing effort. **Fishing power is a measure of the properties of a fishing vessel measured in terms of the fishing mortality the vessel inflicts on the fish stock or stocks; it must not be confused with engine power.**”*

Considering that the current marine catch could be achieved with approximately half of the current European fishing effort, it is our view that fleet overcapacity continues to be one of the overarching causes of the current crisis in many marine fish stocks.

Simply put, there are too many boats chasing too few fish to ensure that the CFP achieves its goal of presiding over the exploitation of living aquatic resources providing sustainable economic, environmental and social conditions.

The continuing overcapacity of the European fishing fleet has, in our view, has been brought about largely as a result of subsidies that create perverse incentives for greater investment and fishing effort in overexploited fisheries, leading to the support of unsustainable and uneconomic fishing practices.

It is suggested that existing legislation relating to the buoying up of overcapacity is removed in an effort to reduce overall capacity rather than as an ineffective, overly bureaucratic, and ultimately costly tool to sustain it.

**If the economic objectives of the CFP are met, this will naturally lead on to an increased level of ecological and social sustainability.**

#### **Q “Should the choice be left to Member States, or is there a need for common standards at the level of marine regions or at EU level”.**

There has to be EU level guidance to the member states and regions in order to ensure a level playing field across the EU. For too long it seems that the various fishing interests have used inequalities in legislation to flout the system and create disputes that have negated any effort in control. **The control and enforcement of any regulatory system**

**needs to be independent of the catching sector, be it commercial or recreational, regional or national.**

#### **4.2 Focusing the policy objectives.**

The concluding sentences of the introduction to this section of the GP states - "Ecological sustainability is therefore a basic premise for the economic and social future of European fisheries". If we can get the ecology right, which must include stopping destructive fishing methods such as beam trawling, scallop dredging and of course marine aggregate removal (or finding ways of reducing their impact), then the sea bed habitat and the stock will stand a better chance of recovery.

**Q "Should the future CFP aim to sustain jobs in the fishing industry or should it aim to create alternative jobs in coastal communities through the IMP and other EU policies?"**

The CFP should aim to create alternative jobs in coastal communities. Bearing in mind the anticipated increase in coastal populations suggested in Para 1 on page 4 of the GP there will be need for increased angling opportunities to satisfy the recreational needs of these populations. This could lead to an increase in marine tourism through angling opportunities.

The proliferation of large scale, overly damaging fishing practices, and their majority shareholdings in the current quota system, has led to a situation whereby only a comparatively small number of people earn the lions share. Mechanisation and technological advancement have severely impacted upon the viability of more labour intensive operations which have historically sustained the incomes of a far greater number of those people living in small fishing communities. Often, it is the most labour intensive fisheries whose practises are the most sustainable and selective.

#### **THE DREW REPORT**

As far as the UK, or to be more specific, England and Wales are concerned, The Drew Report "Research into the Economic Contribution of Sea Angling", DEFRA, 2004, gives some interesting facts that point to the probability of increasing marine tourism and recreational angling employment opportunities as an alternative to commercial fishing.

Some key facts from the report –

- There are 1.1 million households containing at least one recreational sea angler in England and Wales fishing at least once per year
- Total sea angling spend in England and Wales was estimated at £538 million per year
- This translates into 19,000 jobs and £71 million in supplier's income.
- 52% of the expenditure was by anglers owning their own boats.
- 54% of anglers fish principally from the shore, 23% from private boats and 22% from charter boats
- There were 452 angling charter boats registered with either the National Federation of Charter Skippers or the Professional Boatman's Association in 2004. (Drew, page 64)

The future –

- The report indicates the spend could double
- That means another 19,000 jobs and 452 charter boats



- and as sea anglers we are well aware of the decline in the charter boat sector in the last few years

However the downside of the report records –

- Only 1% of tourism expenditure was on angling.
- 15% of respondents had been sea angling abroad, that is about 150,000! Notably to the Channel Islands, Ireland, USA and South Africa where fishing opportunities were better.
- Growth of the sector in England and Wales may be inhibited by lack of fish or poor fish quality. In some regions all types of angling are limited by low stocks.
- 83% of respondents had observed a decrease in catches over the past 15 years, and 70.7% over the past 5 years. Similarly with the size of fish caught where 72.2% had observed a decrease or significant decrease over 15 years, and 61% over 5 years. As most sea angling takes place from the shore or small boats well within the 12 nm zone it is highly probable that these statistics are derived from this area.
- In 1970 anglers fished on average 36 times per year. This report found an average of only 11.3 times per year in 2004.

If the UK industry is to capitalise on the recreational angling opportunities in future – indeed if the downward trend is not to continue – then these downside factors of poor inshore stocks must be reversed.

- Ireland has succeeded with the bass stock by reserving it for recreational angling with limits on the number of fish taken, but with the possibility of actually catching decent fish on most trips
- The USA has achieved it on a grand scale as reported on many occasions with huge socio-economic benefits. (Ref The Relative Economic Contribution of U.S. Recreational and Commercial fisheries, Southwick associates, April 2006)  
[http://www.angling4oceans.org/pdf/Economics\\_of\\_Fisheries\\_Harvests.pdf](http://www.angling4oceans.org/pdf/Economics_of_Fisheries_Harvests.pdf)

#### **4.3 Focussing the decision making framework on core long term principles.**

Throughout the GP there are references to fishing within the MSY and eliminating discards and we would like to draw our comments on these points together under the Core Principles heading.

In Para 1 of the GP, the Vision for European Fisheries, the stocks are described as having been restored to MSY, and furthermore that these larger fish populations are composed of mature and bigger fish.

Currently a truly fundamental flaw indicative of MSY calculations is the distinct lack of demographic data sets. The concept of MSY treats all individuals in a population as identical, ignoring all aspects of population structure such as size or age classes and their differing rates of growth, survival, and reproduction.

Some species could provide better value if managed primarily as a recreational fishery.

Throughout the GP there are numerous references to eliminating discards. Reading the commercial fishing press we have seen it suggested that discarding might be reduced by removing, or reducing, minimum landing sizes, MLS, in order that all fish caught can be brought ashore and landed. Whilst this will be a short term solution to the wasteful practice of dumping undersize fish, there is no way it will contribute to the improvement of stocks.

Typically in Para 3 of the GP it is noted that 93% of the cod in the North Sea are fished before they can breed. This statement infers that the fish need to be allowed to breed (at least once?) before they are caught.

In this respect we note the speech by Mr Borg at the Plenary Session of ACFA on 9 December –

*"As you might well imagine, our ultimate goal is still to reduce and eradicate discards. In fact, our proposal sought to improve the selectivity of fishing gears in the Atlantic and North Sea and thus bring down discards by obliging fishermen to engage in higher selectivity by increasing mesh sizes. The sector needs to accept more responsibility in developing, and using, more selective fishing gear. I know this is difficult – however it is also necessary. If the sector is not able to find solutions of its own, the Commission will inevitably need to actively intervene to reduce discards including, if necessary, the consideration of a discard ban."*

However the statement by Mr Borg does not go far enough. It must be linked to increasing Minimum Landing Sizes (MLS).

**Not once does the GP mention MLS as a tool, past, present or future, for the control of the fishery. Whilst the GP is strong on references to improving the abundance and size of fish it never mentions increasing MLS to first breeding size as a biological tool to improve stock levels.**

The present system of discarding fish for which there is no quota, too small, protected or unwanted species, and of less than optimum market value has to be dealt with.

But of greater importance is the need for a system which is able to fully protect valuable but vulnerable species and stocks from commercial exploitation, whether by design or recklessness.

It is in bringing together these conflicting aims that the problem is sometimes seen to be intractable, with less than desirable outcomes for both conservation and those who fish for profit resulting from compromises that are at best better than current practices.

We understand that acceptable solutions will depend upon and be different for each fishery and each circumstance, both regarding species and the vessel and gear used, and especially when fishing mixed fisheries and with regard to seasonal variations within different fisheries.

When designing future allowed fishing practices, the principle should always be the long term interest of the targeted species and the wider ecosystem in which the fishery is prosecuted is supreme, acknowledging that healthy fisheries and productive ecosystems are the only means of ensuring future food security, and the future security of the businesses that depend upon servicing the need of the population for fish.

In terms of stock recovery and achieving the core principle of restored fish populations consisting of mature and bigger fish, then MLS has to be increased to at least first breeding size, and the commercial fishery has to adopt technical measures that enable this to be achieved. Para 5.7 of the GP, covering Structural Policy and Public Financial Support specifically asks the question in the second bullet point at the bottom of page 21 "Should public financial support be focussed on specific transitions such as eliminating discards?"

The unequivocal answer to this has to be 'Yes', funding has to be applied to developing technical measures that eliminate the capture and destruction of small or immature fish. Possibly the increase in mesh sizes needs to precede the increase in MLS with fishermen encouraged by subsidy payments to increase mesh sizes when they naturally replace older nets.

Therefore a further **core principle** of the revised CFP has to be, not that discards are eliminated by some weak worded work around, but that **MLS for all species to be increased so that all fish are allowed to reach maturity before first capture.**

Given the year on year cuts already made to sectors of the commercial fishing industry, we would not accept dissuasive arguments accentuating the burdens of such a move on the industry and 'loss of livelihoods'. Due consideration must be given to the fact that poor fisheries management has already led to a vastly reduced fleet and the loss of recreational fishing opportunities.

Rather than a perpetual rehashing of the traditional short-sighted mechanisms of reducing commercial fishing effort, yet retaining many of the wasteful practices that have lead us to this point, **reform must mean reform.**

**The primary focus must be on bold and proven measures, including mesh size increases, to deliver medium and long term cleaner fisheries, reduce discarding non target species and a significant shift toward larger size classes with increased operational efficiency.**

#### **UNAVOIDABLE DISCARDS**

Currently European and global discards are running at 40 per cent of catch. On a worldwide basis this equates to 5 kilograms of wasted fishery product for every man, women and child on the planet.

At the same time approximately 28 million tonnes of small fish are directly landed for the fish oil and fishmeal industries to be converted as cheap feed for aquaculture, poultry, pigs, pet food and animals bred for fur.

Basically the needs of the fish oil and fishmeal industries could be adequately covered by **re-cycling** the proposed "now to be landed former discards". This **re-cycling** programme would remove or significantly reduce the need to target small or immature fish, thereby protecting and enhancing the baseline of the food chain to benefit all marine species. These 'forage' fish are an important food source not only for the bigger fish that the commercial and recreational fishing interests want to catch but also for many marine birds and animals.

In addition, where fish processing is carried out at sea, the trimmings (heads, tails, offal, etc) should be landed and directed to the fishmeal and fish oil industries. Indeed, it has been reported that about 25 per cent of the raw materials used to produce fishmeal and fish oil are the waste product from fish processing.

#### **4.4 Encouraging the industry to take more responsibility for the CFP and**

#### **4.5 Development of culture compliance**

The questions posed in these two sections imply an admission that so far the Commission has failed to get the industry to comply with the Commission's control requirements. Further delegating the control and compliance regime to the catching sector, whether it is regional, POs, the fleet etc will not ensure improvement. **There has to be a separate monitoring body – police force – totally independent of the catching sector ensuring the catching sector does what is asked of it.**

## **5 FURTHER IMPROVING THE MANAGEMENT OF EU FISHERIES**

This section, with its references to recreational fishing, coastal communities and the 12 nautical mile zone is of particular interest to recreational angling and sea anglers, as most recreational fishing takes place well within the 12nm zone.

### **5.1 A differential fishing regime to protect small-scale coastal fleets.**

Regrettably this proposal does not define what is meant by "small scale coastal fleets". We take note that there is no definition available for the time being as indicated by Mr Borg in a speech 27 November

([http://ec.europa.eu/fisheries/press\\_corner/speeches/archives/speeches\\_2009/speech09\\_20\\_en.htm](http://ec.europa.eu/fisheries/press_corner/speeches/archives/speeches_2009/speech09_20_en.htm)) with these words: ".we should consider what the definition of small-scale fisheries should be, and who should come up with that definition." For now Angling Trust can only assume that "small-scale" means vessels of a certain size; possibly the under 10m fleet, which currently has preference within the 6nm zone?

As RAs our principle concern is the restoration of fish stocks to the levels and diversity of earlier years; in particular inshore where the majority of sea angling takes place. We have highlighted salient facts from the findings of the Drew report "Research into the Economic Contribution of Sea Angling", DEFRA, 2004, under Para 4.2 above, in particular the fact that 83% of respondents had observed a decrease over the past 15 years, and 70.7% over the past 5 years. Similarly with the size of fish caught where 72.2% had observed a decrease or significant decrease over 15 years, and 61% over 5 years. As most sea angling takes place from the shore or small boats well within the 12 nm zone it is highly probable that these statistics are derived from this area.

This decline must also be true for inshore commercial vessels. Commercial fishermen have got round the shortage by deploying more nets and more pots from under 10m boats with far greater carrying capacity than previously possible. They are not to be blamed for that; they see the need to earn their living.

We would therefore agree with the statement in the GP that –

*"Many vessels are small scale and have a limited environmental impact but small scale fishing can also be harmful to sensitive coastal habitats and its aggregated impact can be significant with real consequences on the state of the stock"*

Para 5.3 suggest that the 12nm zone is restricted to small scale fishing vessels.

The obvious assumption is that this will give them exclusive access to stocks no longer available to large scale fisheries. In return for more than doubling the area reserved for small scale commercial fisheries consideration should be given to creation an inner zone, 1nm as defined by the Water Framework Directive (WFD), where damaging commercial fishing practices, beam trawling, scallop dredging etc, that impact the inshore habitat (weed growth etc) are restricted or banned in order to promote the recovery of inshore habitats and breeding grounds and therefore assist recovery of fish stocks.

The inshore fisheries are an important resource for recreational sea angling and as habitat for a wide variety of marine life. These inshore areas are important for the breeding cycles of a whole range of fish species of interest to both commercial and recreational interests. Many juvenile fish rely on these shallow, warmer waters for their survival – as a food source and for protection, before moving off to deeper waters. We propose that the WFD 1nm band adjacent to the coastline, the Angling Golden Mile, be declared a protected area, managed for existing commercial potting and controlled static netting (particularly in and around estuaries), the recreational fishing sector and other leisure interests.

**The marine resource out to 12 Nm must be returned as the sole property of the coastal nation state having full control and jurisdiction as to the development and protection of the resource for the benefit of all.**

## **5.2 Making the most of our fisheries.**

Our comments are general and difficult to align with the specific questions in this section, and are concerned with fishing effort control and ownership of the management. However the idea of 'devolved governance' for the fishery by passing control to fishery groups etc is questionable.

The GP indicates that the CFP has failed because of continued political infighting for political gain. One might conclude that, having failed to control the fishermen, the politicians are now throwing up their hands in despair and buying into the fishermen's plea that "they know best". But one has to ask "If the fishermen know best, why have stocks got into the state that they have?". No one else has fished stocks almost to zero.

It would however seem reasonable to pass responsibility to the RACs which have been set up for various sea areas based on the type of fishing/fish stocks encountered in those areas, North Sea, Baltic etc. However there must be an overall plan for control and recovery of the fish stocks in these areas.

Therefore there must be an authority separate from the catching sector responsible for enforcing regulations. The user cannot be allowed to become the controller.

### **A) Effort Control**

This is the only place in the GP, apart from a brief mention on page 6, that 'days at sea' are mentioned for controlling fishing effort.

The use of days at sea without any other control method could lead to an even worse scenario than exists at present, particularly for inshore fisheries.

Whenever the problems of fisheries management are considered, apparent solutions are always imperfect and implementation generally leads to the creation of unintended consequences.

Substituting 'days at sea' for quota will inevitably lead to structural changes in the fleet with boats better adapted to efficiently exploit near-shore stocks, whilst they last, and concentrating effort on near-shore species, rather than using more of their 'days' getting to and back from more sustainable fishing grounds. Fuel cost considerations also encourage more near shore fishing.

At present, if a boat knows that there is a population of valuable but vulnerable species within easy reach, but has no quota to fish that species, it will seek elsewhere (and

perhaps longer) for less vulnerable species for which it does have quota (albeit it may need to discard some of the catch if fishing in a mixed fishery).

If quotas no longer dictate what may be fished for, fishermen will almost certainly go straight for the valuable local catch regardless of vulnerability.

Obviously, if a large amount of fishing effort was transferred onto near-shore stocks, this would be a disaster for recreational fishing which is generally limited to exploiting near-shore fisheries, as well as the fish stocks themselves.

Also consideration has to be given to how then to protect valuable but vulnerable species and localised stocks.

Recent research show that, rather than mobile species roaming the whole of their ecological 'envelope' there are distinct populations of, for example, cod, which may migrate to different areas for spawning and feeding, but are in fact localised populations.

If such a population, for example NE England, is heavily targeted and 'fished-out', that area wouldn't be re-populated by cod from somewhere else in the North Sea as most would expect to happen.

Interesting too that when scientists talk of fish populations moving north in response to global warming, they are not talking about individual fish moving north, but rather the population of northern cod reproducing and doing better, whilst the southern cod populations decline, so the centre of population relocates northwards, but the fish themselves do not.

**For the above reasons we consider that control of the fishery effort through days at sea alone will not be practical in terms of stock recovery and that there must be another measure such as ITQs to support it.**

## **B) Ownership**

### **Tying the wealth of the sea to the wealth of the industry and the wealth of fishermen**

Currently the fish swimming in the sea might contribute to future earnings, but it is dead fish in the hold that puts money into the pockets of fishermen and the industry.

Currently there is no real incentive for fishermen to invest in the sea, as farmers invest in the land, or shareholders invest in a company. Most of the 'conservation' measures put forward and trumpeted by the industry are fairly cynical attempts to head off even greater restrictions being imposed by the authorities.

Schemes that have changed the attitude of fishing communities towards conserving and enhancing the marine environments have usually had some sort of 'ownership' as part of the package, whereby as the sea gets richer, so do the fishermen, whether they have a full hold of dead fish or not.

Details of such a scheme would need a lot more working out, but the principle should be put forward.

### **C) Decentralisation of management**

If there is to be a decentralisation of decision making, then RA should have substantial and meaningful representation on any body that seeks to manage or influence the fish stock upon which the RA sector depends.

#### **5.3 Relative stability and access to coastal fisheries**

This section again raises the question regarding restriction of the 12 nm zone to small-scale fishing vessels; again without defining what a small scale fishing vessel is. However it does raise problems with the historic access rights of other fleets who do not have to comply with national legislation governing national fisheries within the 6 or 12 nm zones.

#### **Q “Should access to the 12nm zone be reserved for small scale fisheries.”**

Yes, we believe that it should.

However this will not work unless national fisheries legislation is applicable to **ALL** vessels fishing within the 12 nautical mile limit.

There is already a situation where pair-trawling for bass off the SW coast of the UK, and a ban on retaining tope, apart from a small bycatch allowance, are only applicable to UK vessels and do not apply to other nation's vessels with rights to fish within the 6-12 miles. (These were both measures that recreational anglers campaigned for and won)

This makes it very hard to get agreement on any conservation measures within 12 miles, even when nominally supported by commercial fishing interests, because "We can't have our fishermen fishing at a disadvantage to foreign boats fishing alongside them in our waters" is the cry of national governments.

Without such reform this is also likely to be an issue for UK and European plans for an effective network of Marine Conservation Zones within inshore waters.

## CONCLUSIONS

### VISION

It is imperative that future policies concentrate on reversing the decline and achieving the “Vision for European Fisheries” presented in Para 1 of the Green Paper.

### DISCARDS and MLS

The GP is strong on eliminating discards, but this must be linked to an increase in MLS for all species to be increased so that all fish are allowed to reach maturity before first capture. Only in this way will stocks increase.

### 6 and 12 MILE ZONES

Making national law applicable to all fishermen within the 12nm zone, including foreign vessels with historic access rights, would make it easier to achieve regulation and conservation objectives in inshore waters that will benefit all fishery stakeholders.

In return for more than doubling the area reserved for small scale commercial fisheries consideration should be given to creation an inner zone, 1nm as defined by the Water Framework Directive, where damaging commercial fishing practices, beam trawling, scallop dredging etc, that impact the inshore habitat (weed growth etc) are restricted or banned in order to promote the recovery the inshore habitat and breeding grounds.

### CONTROL

Control is about monitoring the ability of the fleet to catch fish within the bounds of MSY. Therefore-

The control and enforcement of any regulatory system needs to be independent of the catching sector, be it commercial or recreational, regional or national. Thus there must be an authority separate from the catching sector responsible for enforcing regulations. The poacher can not be allowed to become the gamekeeper.

In terms of fleet capacity the increased ability of modern vessels to tow more gear, lay more static nets or pots leads us to agree with FISH and SAR that the fishing power of a fishing vessel should be measured in terms of the fishing mortality the vessel causes on the fish stock or stocks; and this must not be confused with engine power.

The control of fishery effort through days at sea alone will not be practical in terms of stock recovery and that there must be another measure such as ITQs to support it. Days at sea alone could lead to indiscriminate fishing of pressure stocks.

**There is a real opportunity for the EU to lead the way in sustainable fishing effort. By setting its current policies in order the EU can lead the way in the international management of this most important of all natural resources. Angling Trust counsels that failure to do so will result in bankrupt fisheries for all. Failure of the fishery will also endorse the failure, as signatories, to comply with Agenda 21 and relegate commitment to the sustainability of the aquatic environment as meaningless.**

**THE TIME IS NOW RIGHT FOR A NEW ‘CFP’ TO SET NEW AND SUSTAINABLE STANDARDS OF MANAGEMENT FOR THE AQUATIC RESOURCE - WORLDWIDE**



## Appendix i

### Recreational Angling

**Recreational angling** can address some of the criteria outlined in Agenda 21. It provides a valuable platform for imaginative environmental action and sustainable economical regeneration on a global scale.

The economics of recreational angling and level of participation are the equivalent of a medium sized country and should be involved and consulted when deliberating the future policies for the marine resource at European and global levels.

**a) United Kingdom** – Over 4 million anglers with a total spend in excess of £4 billion per annum

**b) USA** – More than 55 million anglers with a total spend of more than \$100 billion per year

**c) EU** (before recent expansion of membership) – Over 22 million anglers generated £500 million in fishing tackle sales at the wholesale level.

**d) Eastern Bloc** (prior to membership of the EU) – It was estimated that 5 per cent of the population fished for recreation

**e) Australia** – one third of the population are anglers

**f) China** – 90 million people fish for recreation, spending \$100 million per annum (fishing tackle at wholesale prices)

Recreational angling makes a major direct contribution to national, international and local economies.

Recreational angling acts as a barometer for the health of the aquatic environment.

Although the recreational element has minimal effect on fish stocks it has moved significantly to catch & release and tag & release in recent years, especially on vulnerable species with low reproduction rates such as sharks, skates, rays and bass.

Many anglers also apply the release principle to a range of fish not considered as vulnerable.

The small levels of by-catch, too small or wrong species, can be safely “discarded” back into the marine environment – alive.

There is no need to introduce legislation at any level that will affect recreational activities.

Over recent years recreational anglers have increasingly moved towards good sustainable practices.

The recreational sector, nationally and internationally, has for decades been at the forefront of a whole range of tag and release programmes for scientific research and other monitoring initiatives.

The UK 2000 Shark Tagging Programme was promoted and initially financed by recreational angling interests.

## Appendix ii

### Other concerns which might be addressed within the new CFP.

#### Marine Aquaculture

A recent report (FAO) indicates that fish farming will soon account for half of all fish consumed but its rate of growth is slowing.

While it is an important contributory source of food and income for a number of nations we believe that the offshore commercial effort needs further investigation.

We are opposed to the targeting of small fish as food for this market or as stock for growing on.

The bluefin tuna highlights this area of concern.

We challenge the ranching of these fish as the least sustainable form of aquaculture.

As reported by Ocean Conservancy; "Catching young bluefin to fatten them up for sale doesn't help sustain wild tuna, it just kills off the next generation. Moreover, because anywhere from 10 to 30 pounds of forage fish is needed to produce a single pound of bluefin tuna, the practice ends up depleting wild stocks beyond tuna. And because ranching calls for holding tuna together in massive coastal pens, the resultant fish waste and discarded food can alter the ocean's chemical balance."

Our mistrust of marine aquaculture might be alleviated if the industry was better controlled and would address this waste of marine resources.

#### Global Reach and Third World Fisheries

We believe that many of the fishing agreements and licences negotiated by the EU with Third World nations have resulted in negative impacts on the marine resources and coastal populations of those nations.

This abuse of third nations and their marine resource by EU vessels should form no part of the new CFP. Future negotiations for third world fishing rights should include financing, construction and training for locals to run onshore processing facilities. This would increase local employment, create local food sources for human consumption and create long term hard currency earnings. With better managed sustainable fisheries third world nations have an additional opportunity to tap into "tourist dollars" by developing recreational angling opportunities and other marine leisure interests.

#### Pirate fishing

The activity of pirate fishers guilty of illegal, unreported and unregulated fishing (IUU) is an insult to stock sustainability and the rule of law. It has been estimated that IUU globally costs **up to US\$ 23 billion** per annum and leaves communities without food or income.

IUU fishing will continue, unabated, until such time as all governments act in a responsible manner and take the responsibility of monitoring and punishing transgressors in or outside their own nations.

Punishments should be meaningful and at a level that effectively deters future offenders;

- seizure of boats for destruction
- fines and prison sentences for transgressors (crews and owners)
- blacklisting of vessels and flags of convenience which allow such practices or do not police their registered fleets.

The time has come for the EU to take a lead in delivering stronger demands to the world for control of this unregulated illegal fishery in order to protect third nations and indigenous

artisanal fishermen and their families. ***We are encouraged that the United Nations is actively pursuing a policy for better management and control of the high seas fisheries.***

### **Overfishing in Third World Waters**

Evidence suggests that overfishing is condoned by governments at home and abroad choosing to ignore previously agreed quotas and agreements. Many governments turn a blind eye to the landing of excess catches.

There is a need to bring these fisheries into line with the new CFP but, and more importantly, to develop a strategy for dealing with third world fisheries and their management..

As with the illegal operators those guilty of overfishing third world waters should be brought into line and catches above quota levels confiscated and sold to market with the proceeds going to a ring fenced general fund to support the regulation of the fishery from which the fish have been removed so that the crime pays for the future prevention of the crime.

### **Luxury Food Market**

There are certain fish species that command a very high value in certain areas of the world.

- Bluefin tuna for the sushimi and sushi markets
- Nearly all species of shark for shark fin soup
- Sturgeon for caviar
- Patagonia toothfish

Whether the market for these species is driven by long held tradition, species scarcity or high monetary value the effect on fish stocks at risk is the same.

- All targeted luxury food fish sources continue to be over-exploited
- Black market trading by illegal operations remains unchecked by governments
- Governments ignore black landings to placate market or population demand
- It encourages illegal fishing on the high seas
- It condones un-reported landings

Many of the species at risk are of interest to the recreational angling sector who 'can and do' practice Catch and Release.

These stocks need Europe to take world lead in developing sustainable policies for its own stocks as well as negotiating with third nations for them to cease these unsustainable fisheries. The recreational sector is extremely concerned, in particular, with the bluefin tuna and shark fin fishing industries. Both are driven by unsustainable commercial and traditional practices. Each will only achieve permanent removal of these important apex predators from the food chain. They will create a serious, non-balance in the pyramid of aquatic life.

The shark-finning commercial interest is extremely obscene. If this so-called traditional interest is to survive it must take the responsibility for landing and processing the whole carcass.

Likewise, if the sashimi and sushi interests are to survive they must embrace the responsibility to divert to other sustainable fish species.

### **Enforcement and Application of Future Legislation**

Many of those who want to promote equitable and reasonable management of marine resources, for all interests, are concerned at the failure of the CFP and some nation states to enforce current regulation.

This perception leads to serious un-ease as to whether a future CFP can actually deliver sustainability at home and abroad.

The current CFP has been constantly undermined and diverted from sustainable reality by political pressures determined by the individual member states, whose sole remit is to support their own commercial fleets.

The "new" CFP needs to address the concerns expressed in the Green Paper which clearly endorses the failure of the current CFP to deliver a sustainable future for all interests.