

COMMENTS FROM THE UK NATURAL ENVIRONMENT RESEARCH COUNCIL'S MARINE LABORATORIES ON THE EUROPEAN COMMISSION CONSULTATION ON THE REFORM OF THE COMMON FISHERIES POLICY

- I. These comments are submitted on behalf of the National Oceanography Centre, Southampton (NOCS), the Proudman Oceanographic Laboratory (POL) and Plymouth Marine Laboratory (PML) and represent the views of those who have responded; they are therefore their independent views and should not be taken to represent the views of those organisations or of their parent bodies.
- II. Details of NERC Research and Collaborative Centres and major programmes are available at www.nerc.ac.uk The Oceans 2025 programme is providing strategic research that underpins our understanding of the marine environment. www.oceans2025.org
- III. The centres named above welcome the opportunity to respond to this consultation, and recognise the need to reform the CFP in order to achieve ecosystem-based sustainable management of fisheries, informed by marine science.

Acronyms Used

CFP	Common Fisheries Policy
ACFA	Advisory Committee for Fisheries and Aquaculture
CMO	Common Markets Organisation
EFF	European Fisheries Fund
EEZ	Exclusive Economic Zone
FPAs	Fisheries Partnership Agreements
ICES	International Council for the Exploration of the Sea
IMP	Integrated Maritime Policy
MPA	Marine Protected Areas
MSFD	Marine Strategy Framework Directive
MSY	Maximum Sustainable Yield
POs	Producers Organisations
RAC	Regional Advisory Council
RFMOs	Regional Fisheries Management Organisations
TACs	Total Allowable Catches

General Comments

A vision for European Fisheries by 2020

- IV. This is an attractive vision, and one that is certainly achievable within the proposed timeframe. The vision still doesn't read as if fisheries will be part of a bigger picture – future fisheries policy has to be part of a bigger picture of coordinated marine spatial planning following an ecosystems approach, informed by sound scientific advice, with the same aim as the EU Marine Strategy Framework Directive, to achieve 'Good Environmental Status' by 2020.

- V. The introductory comments in the consultation documentation give an accurate portrayal of the failure of the CFP to adequately protect fish stocks. The vicious circle of overfishing, overcapacity and low economic resilience has been steadily worsened and has caused damage to marine ecosystems. The concept of fisheries being looked at within the broader picture of the Integrated Maritime Policy (IFP) and the Marine Strategy Framework Directive are central to any future reform of the CFP. The fishing industry is not the only user of the marine resource and should not be treated differently from other sectors – fishing should be subject to the same degree of environmental impact assessment and onus on restoration of the environment as other marine/maritime industries.

Specific Comments

4.1 Addressing the deep-rooted problem of fleet overcapacity

- *Should capacity be limited through legislation? If so, how?*

Mitigating the environmental impact of fishing vessels (including through their emissions etc) should also be considered. There could be an EU tonnage/horsepower cap/emissions/total fishing effort constraint on fishing vessels with transferable rights between Member States.

- *Which safeguard clauses should be introduced if such a system is to be implemented? Could other measures be put in place to the same effect?*
No system that allows fishing above maximum sustainable yield should be permitted.
- *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?*
Local decisions are best made by Member States but within the limits of ecosystem-based sustainable management (which may need to be addressed at a regional seas level).

4.2 Focusing the policy objectives

- *How can the objectives regarding ecological, economic and social sustainability be defined in a clear, prioritised manner which gives guidance in the short term and ensures the long-term sustainability and viability of fisheries?*
Ecological objectives must be the primary driver. Without a viable fishery, with limits informed by trusted, high-quality science and strict enforcement of catches, there is no possibility of economic or social sustainability.
- *How can indicators and targets for implementation be defined to provide proper guidance for decision making and accountability?*
The prime indicators should be the health and viability of the marine ecosystem including fisheries, the target should be the attainment of improving stocks of fish and the achievement of 'Good Environmental Status' by the date set by the MSFD (2020)

- *How should timeframes be identified for achieving targets?*
As per MSFD 2020 and related interim stagepoints. CFP should be part of the bigger picture, not operate in a separate manner.

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

- *How can we clarify the current division of responsibilities between decision making and implementation to encourage a long-term focus and a more effective achievement of objectives?*

Involving the industry more strongly in both decision making and implementation might help to target and achieve long-term sustainability. This implies less centralisation of both issues (more specific regional management). It should include bearing the costs of these efforts which, as acknowledged in the consultation, are currently publicly supported and hence a form of subsidy to the fishing industry. The fishing industry needs to take more ownership of the issues that arise as a consequence of their exploitation of limited and finite resource. The key to this problem for the EU is to address property rights and a sharing of common resources.

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

- *How can more responsibility be given to the industry so that it has greater flexibility while still contributing to the objectives of the CFP?*
These are issues of governance that are probably beyond NERC expertise but experience of scientists suggests that more responsibility and ownership of the issues needs to be given to the industry. For successful implementation, those who work in fishing and fishery related industries must believe that they can make a worthwhile and meaningful contribution to the management process in partnership with other marine resource and space users.

4.5 Developing a culture of compliance

- *How can data collection systems be improved in the short and medium term to ensure coherent information for enforcement purposes?*
Improve VMS tracking of industry vessels and make processed data publicly available via the Internet. All fishing vessels should be VMS monitored, regardless of their size. Similarly make landings data more freely available and subject to scrutiny.
- *Can management at the level of geographical regions contribute to the same end?*
Yes, management at 'regional seas' level may be pertinent on scientific grounds.

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

- *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?*
Addressing the social concerns faced by coastal communities by the current CFP has played a significant part in enabling unsustainable fishing effort to be continued in many fisheries, driven by social/economic concerns rather than an ecosystem based management approach. As stated throughout this response, the prime concern must always be the health of the ecosystem, with human fishers benefitting only when the fish stock is healthy enough to allow sustainable fishing effort.

5.2 Making the most of our fisheries

- *How can long-term management plans for all European fisheries be developed under the future CFP?*
All management should be part of an integrated marine planning system that includes ALL marine and maritime activities such as aggregate extraction, offshore renewable energy production, leisure access and aquaculture. There should be no special status or exemption for fisheries. Access to fishing grounds should be allocated by the relevant local marine planning authority out to the edge of the EEZ via permits to fish informed by scientific advice.
- *Should the future CFP move from management plans for stocks to fisheries management plans?*
Yes, within the overall objective of integrated marine spatial planning and a sustainable ecosystem.
- *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?*
Moves to MSY should be the absolute minimum, to be achieved as soon as possible. It would be better to adopt a conservative exploitation level after that rather than MSY in order to speed up stock recovery, eventually a move to MSY.
- *How could the MSY commitment be implemented in mixed fisheries while avoiding discards?*
The practise of discards should be banned outright unless the fish are alive when caught and can be returned unharmed to the sea. MSY for the target species be reduced accordingly if the bycatch is excessive.
- *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?*
Sustainable ecosystem-based management should be based on flexible locally managed systems that can use a combination of methods including Marine Protected Areas to ensure that catches are within ecological limits, informed by sound science.

- *What measures should be taken to further eliminate discards in EU fisheries?*

Nobody gains through discards, best not to catch the fish at all through the choice, where feasible, or gear that targets the chosen species. Where this is not possible, there could be toleration of a certain amount of bycatch that can be landed rather than thrown dead back into the sea.

- *Could management through transferable quotas be useful in this regard?*
Yes, transferable quotas could be helpful.

There is possibly an argument for a different approach with centralised databases of landings that can be directly related to quotas. Once a quota is reached the fishing in a region should stop, regardless of who has caught the quota. Fishermen could be allowed to agree and share the quota among themselves and then be responsible for ensuring that they stay with their allocated share or transfer the profits to other 'shareholders' of the quota if their catch exceeds their share. This would require much more comprehensive real-time data capture for landings and strong enforcement. It might provide a different dynamic balance of fishing effort that would reflect that prices would rise as the catch approaches the cut-off levels of the quota

5.3 Relative stability and access to coastal fisheries

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

Access should be as per local marine planning decisions.

5.4 Trade and markets – from catch to consumer

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

Better data for consumers about the origin and sustainability of the fish they are choosing to buy.

- *How can the future CFP best support initiatives for certification and labelling?*

By supporting schemes such as sustainable fisheries labelling, on a country by country basis. In some markets such as the UK the majority of fish are sold frozen through supermarket chains, in other EU Member States fresh fish at markets are more often the choice of the consumer, so a 'one size fits all' approach may not work.

- *How can traceability and transparency in the production chain be best supported?*

Apply technology such as radio frequency chips and genetic markers to track and trace shipments from producer to market.

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

By supporting marketing initiatives in Member States to promote sustainably sourced fish, and by publically naming and shaming those who fail to comply.

- *How can the POs better work to match production with market needs?*
By investing in fish husbandry as well as capture. Fishing is essentially still a 'hunter-gatherer' process. With growing human populations wild fish stocks are insufficient to provide cheap food for everyone. Domestic marine food production needs to develop for the same reasons that agriculture had to develop terrestrially.

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

- *In which areas does the fishing industry interact closely with other sectors?*
Fishing interacts closely with aggregate extraction, marine leisure, offshore renewable energy extraction, green tourism, pipeline and cable operations, and aquaculture.

Compared with all of these other activities, fishing - especially bottom trawling - is spatially and temporally the single most environmentally destructive activity undertaken by humans in the marine environment. All other sectors are going to be required to comply with marine spatial planning to achieve 'Good Environmental Status' by 2020 under the EU's MSFD and local laws such as the UK's Marine and Coastal Access Act 2009.

- *Where specifically is integration within the IMP required?*
Comprehensively - Fisheries should be licensed in exactly the same way as other marine/maritime activities. For instance an aggregate extractor or pipeline operator is expected to undertake an environmental impact assessment, pay a license fee, and avoid causing damage or reinstate the seabed to pre-disturbance condition, yet a fishing vessel can access the same marine space without any impact assessment, and drag heavy equipment across the seabed, with impunity under the CFP.

This mismatch of regimes is inequitable and very damaging to the marine environment. Fishers must be part of the system, not operate outside it. For example, if a marine plan is working well to protect local stocks, a third party should not be able to use CFP to operate in a way that is inconsistent with the plan.

- *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?*
By being subject to the same planning consents and environmental impact assessments as any other sector – including their vessels and their access to marine space.

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

By sharing the same high level objectives of 'Good Environmental Status' and by working within the MSFD system of marine spatial planning.

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

By removing subsidies and tax exemptions for fishing boat fuel to encourage energy efficiency, reforming the social/communities string to the CFP by encouraging a move towards sustainable practices, and by ensuring that fishing is subject to the same rigorous environmental impact standards as other sectors.

By ensuring that data on changes in fish populations diversity and distributions that is routinely 'captured' in landings by fishermen is transferred rapidly (in near real-time) to scientists who can use it to monitor climate change and interpret its effects.

5.6. The knowledge base for the policy

- *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?*

If individual Member States lack in-house ability to conduct research help should be provided by other Member States or private sector fisheries research labs to carry out the work. There could be an 'ISO' standard for fishing science data provision to ensure compatibility between providers?

- *How can we best ensure that research programmes are well coordinated within the EU?*

An EU-wide set of minimum standards, coupled with a coordination function from the EU to encourage closer working between Member States. Possibly by seedcorn funding to encourage cooperation. By supporting a network of partnerships between the key research organisations, representatives and industry bodies e.g. the MARCOM + project led by ICES.

- *How can we ensure that the resources are available and that young researchers are educated in this area?*

Compliance with the high environmental standards of the MSFD will force allocation of resources from MS budget lines – and researchers follow funding. Scientists are also motivated by seeing the information and advice they provide being used to support sensible policies and promote sensible societal decisions.

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

By integrating CFP into the wider marine spatial planning system and providing a deadline for compliance with the MSFD (2020).

- *How can we better promote stakeholder involvement in research projects, and incorporate stakeholder knowledge in research-based advice?*
Encourage stakeholder participation in the marine spatial planning and permit-to-fish system, including allowing NGO's to have a 'place at the table'.

Create real incentives for collaboration between scientists and industry to explore the possibilities to develop better monitoring via fishermen's efforts and make use of their knowledge and data. This could promote a greater sense of ownership of the research by the industry, improve trust in the research results and encourage responsible stewardship by all stakeholders.

5.7. Structural policy and public financial support

- *What should be the top priorities for future public financial support and why?*
The achievement of Good Environmental Status as per the Marine Strategy Framework Directive.
- *What changes can the sector not manage to bring about on its own and therefore require public financial support?*
The move out of wild-caught fisheries into sustainable Aquaculture / Mariculture. The move towards smaller scale activities.
- *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?*
There is potentially a huge scope for sustainable marine food production through deepwater marine 'ranching' and other activities that require seedcorn investment in order to move away from wild-caught fisheries, except for small scale local sustainable fishing.
- *Should public financial support be focused on specific transitions such as eliminating discards in the fishing industry?*
Possibly yes. Funding support could also be used to encourage diversification and flexibility in the tastes of consumers.
- *How can a synergy between the pillars of a future CFP be achieved?*
By ensuring that the MSFD definition of 'Good Environmental Status' is the key objective.
- *Should public assistance be conditional on Member States' achieving policy objectives?*
Public assistance should not be available for any activity which causes fishing to exceed MSY.
- *Should the European Fisheries Fund continue to distinguish between convergence and non-convergence regions?*

Level playing field the best option, with Good Environmental Status always the overarching objective.

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

Services should only be free if they are also free to other players in the marine sector such as aggregate extractors, pipeline and cable operators, marine leisure. If other sectors have to pay then so should fishers.

5.8. The external dimension

- *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?*

No. It should be noted that the CFP has *promoted* responsible and sustainable fisheries since inception, but has failed to *achieve* either. The core objective should be the achievement, within the MSFD, of Good Environmental Status including in the external dimension.

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

Future governance of the sea is best achieved through integrated marine planning which includes fisheries as one of many players in a science-advised, ecosystem-based management system free from short-term political interference. The EU should recognise a need for responsible stewardship of the world's marine resources and take a leadership role. This could be done for example by allowing only sustainably caught fish to be traded and imported into the EU.

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

Fishing in international waters should be subject to scientific assessment of maximum sustainable catch as recommended by ICES.

- *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?*

All activities should be aligned with sustainable fisheries/good environmental status as the core principle rather than simple economic indicators, which tend to be short term.

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

Open publishing via the internet using internationally agreed standards for assessment.

- *How could we contribute to increasing the fisheries management capabilities of developing countries, e.g. through targeted assistance?*
Through research capacity building.
- *Should aquaculture be included in future partnership agreements?*
Yes, subject to marine spatial planning and impact assessments.
- *How could the potential of small-scale fisheries in third countries for sustainability, ecological and social benefits be enhanced?*
Through trading agreements that are conditional on achievement of sustainable fisheries. Also the integration of third countries into research and development projects.

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?*

As previously stated, all marine and maritime activities should be managed in an integrated way with no special preference or status for fisheries versus other sectors. Aquaculture should develop as a sector free from bureaucratic interference and be subject to licensing under the auspices of each Member State's implementation of the European Marine Strategy Framework Directive.

In the UK the Marine and Coastal Access Act 2009 and Scottish Marine Bill will contain adequate statutory tools to regulate the expansion of aquaculture without needing to involve the CFP.

An exception could be in the case of sustaining vulnerable fishing/coastal communities. If the CFP is to continue to have that role, transitional help towards encouraging fishers to move into sustainable aquaculture – especially the new sector of deep water offshore 'ranching', should be encouraged.

Response produced by the National Marine Coordination Office at NOCS on behalf of the contributing NERC Marine Centres

For any enquiries please contact Stephen Hall sph@noc.soton.ac.uk

22nd December 2009