

This response to the Common Fisheries Policy consultation process represents the views of Kenna Eco Diving, a not-for-profit organisation based near Girona, Spain, engaged in marine research and conservation projects with the assistance of volunteer scuba divers from across Europe.

[Kenna Eco Diving](#) is a member of the Shark Alliance and OCEAN 2012, and is a voluntary coordinator for a local coastal habitat research transect for the [SILMAR Project](#).

Overcoming the structural failings

- Fleet overcapacity

Cod, sturgeon, skate, haddock, swordfish and all species of tuna, except skipjack, are listed as vulnerable or globally endangered by the World Conservation Union because of over-fishing. According to the Commission for the Protection of the Marine Environment of the Northeast Atlantic (OSPAR), 40 of the 60 main commercial fish stocks in this huge area risk extinction or are being heavily overfished. It is a similar story in the North Sea and Baltic.

Fishing fleet capacity must be reduced and fishing effort regulated within Minimum Sustainable Yields (MSY) to avoid total extinction of many commercial fish species. Adaptations must be made to fishing gear to target mature fish more selectively and to avoid excessive by-catch.

- Imprecise objectives

The definition of capacity must represent a trawler vessel's killing potential. All vessels would have to be measured for bollard pull and their capacity rated accordingly, as documentation from engine suppliers does not give a true reflection of power ratings for installed engines. A certificate of bollard pull would be a pre-requisite for participation in a system for trading of fishing permits/days.

A commitment to towing a single net could be rewarded with some extra fishing days: more than two nets would incur a reduction. The threat of suspension of fishing permits for significant periods should encourage compliance. Fishing permits should be tradable (leased or sold) within national fleets on the basis of capacity units i.e. a vessel of 100 capacity units would need to buy two days from a 50 unit vessel to fish one day.

An ecological approach to the use of marine resources must be urgently adopted, supported by strict regulation and based on scientific evidence of MSY, in order to allow stock recovery and ensure future sustainability. A new fishing permit system must replace the unworkable quota system in order to regulate fishing effort precisely and to control the minimum size that can be caught so that fish have the opportunity to breed.

- Short-term focus

The preservation of ecosystems and the restriction of fisheries mortality within appropriate levels are the pre-conditions for attaining medium and long term social and economic benefits from marine resources. Marine Protected Areas should be established, to comprise an average of at least 40% of coastal zones, and sited in line with the Habitats Directive and Natura 2000 objectives. This action would advance the aim of achieving sustainable seas by allowing fish to breed within these undisturbed zones, and spread out to populate surrounding areas, speeding up fish stock recovery.

Climate change is an added stress on vulnerable marine ecosystems, making the need for protected zones even more urgent. Marine reserves protect ocean bottom, providing safe havens where fish and their habitats can flourish, and enabling the undersea environment to recover. Closing off a portion of north eastern fisheries in Georges Bank off the coast of New England to ground fishing led to the best scallop season in a decade.

The marine reserve in Merritt Island National Wildlife Refuge at Cape Canaveral, Florida, is one of the oldest marine sanctuaries in the United States, where fishing and public access have been prohibited since 1962 in order to protect rockets, not fish. The area off limits, due to its proximity to Kennedy Space Center, included estuarine habitats that were breeding grounds for game-fish species such as black drum, red drum, spotted sea trout, and common snook.

Scientists have found that slow growing species have been able to reach their full potential in this undisturbed sanctuary with a subsequent increase in fish stocks. (The black drum, whose lifespan may reach 70 years, produces more eggs with greater maturity: a single 45 kilogram grouper can produce more eggs than 93 half kilo groupers). The International Game Fish Association, which registers record-breaking fish catches from around the world, found that the waters within 100 kilometres of the Merritt Island Refuge yield more record-breaking big fish than all other Florida waters combined.

Catching fish from seas that have the potential to be an abundant and sustainable public resource should be a privilege not a right, and a money-making opportunity for which fishers should pay. European fisheries have been eroding their own ecological basis and their economic viability by over-fishing for decades, reducing 30% of fish stocks to unsafe biological limits, whilst increasingly benefitting from massive public subsidies, in some Member States exceeding the value of the catches. The current fishing industry in the EU is uneconomical and unsustainable due to the short term focus that has been taken.

A long term ecosystems approach must now be adopted with tougher new regulations that are strictly enforced using up to date satellite surveillance technology to ensure compliance.

- Top-down approach

Within a new fishing permit system, Member State fleets, local fishers and producers organisations could have control over how to implement the technical adaptations needed to meet MSYs and the pricing of their catch to achieve a reasonable and sustainable level of profitability into the future. The revenue generated by payments for fishing permits should be used to fund the establishment of local integrated marine management boards representing all stakeholders with an interest in preserving sustainable marine resources for the benefit of all.

Co-management involving both fishery managers, local fishers and other stakeholders could deliver responsible management and the sustainable use of locally available marine resources, if an ecological mindset is adopted and an effective contribution made to processes of husbandry and care for marine resources.

The design of a new fishing permit system would need to be centrally funded and based on precautionary ecological principles and scientific advice. Specific allocations should be negotiated at a regional level from within an overarching framework specified by the Commission on scientific advice.

Given the variety of habitats and fishing environments in the enlarged Union, a regionalised model of decision-making should be pursued for the concrete implementation of the basic principles and guidelines. However, any future regional bodies such as RACs should not be dominated by any one stakeholder group. The general public, consumers, marine scientists as well as POs and fishers should be included and have an influence in such committees.

- Poor compliance

The new fishing permits could be locally administered and enforced, with a built in system of checks and balances implemented to avoid corruption. Permits, or on-board equipment that they activate, should be recognised and tracked via satellite as one way to ensure compliance. At a local level there should be powers to revoke permits and even impound vessels for serious breaches.

Permits should be checked against all catches landed, including all by-catch, becoming an integral part of a system of certification, traceability and eco-labelling via a computer chip/barcode system.

The catching sector should pay for fishing permits on a scale that is relative to each vessel's killing capacity. In order to kill their target fish and make profits, whilst meeting the conditions of their permits, the fishers will have to become more selective, efficient and less wasteful. The industry would have to demonstrate that it operates responsibly within the permit system in order to access fishing privileges.

Further improve management

- Small scale coastal fleets

The zone for territorial waters should be increased to 21 nm from land with this area reserved exclusively for local small scale fisheries and artisanal fleets, operating under the new fishing permit system. Access within the 7 nm zone should be restricted to vessels up to 12 meters, 7 – 14 nm for vessels up to 15 meters and 14 – 21 nm for vessels up to 18 meters. Fishing with static gear and from smaller vessels creates more employment and transfers more revenue into the local economy. Large trawlers kill vast quantities of fish to pay fuel bills; most of the revenue leaving coastal areas to pay for oil.

The increase in total area of territorial waters would compensate for newly designated MPAs. This precautionary approach is necessary because of the current lack of precise scientific data in relation to the stocks of many species. However, the benefits will accrue not only in replenished fish stocks but also in other coastal services, for example eco-tourism and scuba diving.

Decisions on the exact locations of MPAs would be best taken by Member States on the basis of local scientific evidence, the Habitats Directive and Natura 2000 objectives. However, the percentage of coastal zones to be designated as MPAs must be legislated by the EP along with the timescale in which this must be achieved.

As with systems of payment for good stewardship of sensitive terrestrial environments, there is a good case for the provision of similar support for the conservative, precautionary and sustainable management of marine resources by fishers and coastal communities; in line with the concept of exclusive use privileges, there is also a good argument for recognition of the stewardship services provided by island communities and their fishers in support of the maintenance of biodiversity and the continued health of these fragile environments.

- Maximum sustainable yield (MSY)

A new fishing permit system should be applied to all fishers – from industrial fishing fleets and small scale local fisheries down to the individual on shore with a rod – in order to manage fishing effort and regulate the minimum size of fish that can be taken (based on evolving MSY data, which should be adopted immediately).

The quota system has proved useless as it has never measured fish mortality and has been so easy to subvert. Fisheries Commissioner Joe Borg revealed in 2007 that every year, 500,000 to 800,000 tonnes of dead fish are dumped back in the sea because they are too small or are in excess of the allowed quota. Fishers in the Southern North Sea have such small mesh nets that they capture almost everything, with up to 90% of the catch being discarded.

Trawling with low-selectivity gear removes biomass from fishing grounds which are often oligotrophic, thus reducing the feed for the bottom-dwelling species. Every time a trawl is hauled, one third of its contents will be unwanted sea creatures – small crabs, starfish, sea anemones and such. Currently they are shovelled back into the water dead or dying. An estimated 300,000 dolphins and small whales are caught and die in nets every year while countless sharks, turtles and sea birds die in a similar way or are impaled on the hooks of long-lines.

All animals caught at sea, whether intentionally or unintentionally, must be landed and inspected. On-board discards and high-grading should be banned. Compliance could be monitored using onboard-TV cameras, as is already the case in several European fisheries. The rule of no discards should be adopted and rigorously enforced to avoid waste, to inform and accelerate the process of adaptation to achieve better selectivity of fishing gear, and to allow quantification of the number of marine creatures other than fish that are the victims of by-catch. Rather than being wasted at sea, the protein resources from by-catch should be utilised for aquaculture feed.

New fishing permits should state for how long (days) fishing is allowed, as well as regulating the minimum sizes of specific commercial species that can be taken. They should include regulation in respect of temporary no-take zones set aside to allow recovery of the seabed, and also zones when and where breeding occurs, in order to give fish the opportunity to grow and breed.

- Relative stability

The new fishing permit system would replace the inequitable rules of relative stability and be based on maximum sustainable yields (MSYs) and a precautionary ecological approach with permits offered for sale on a Member State basis and tradable across borders.

- Trade and markets

An equitable system of traceability and eco-labelling must be applied to any imports in order to give EU fishers a level playing field. Consumers need to know where seafood has come from and how it was obtained in order to make informed choices. Any trade agreements should regulate on this issue.

Improve the policy framework

- Integrated Maritime Policy

It is imperative that the new CFP is coordinated with the Integrated Maritime Policy, the Water Framework Directive, Marine Strategy and Integrated Coastal Zone Management in order to achieve a joined up approach to the problems and solutions associated with fish stocks, aquaculture, sensitive habitats, water quality and global warming.

- Scientific advice

A central independent scientific body urgently needs to be set up and financed in order to provide the key data on current fish stocks necessary to inform the EU fishing permit system, to advise on the siting of permanent MPAs and temporary no-take zones, and to interpret the data collated from all landings.

Leading scientists should be employed and also seconded from Marine Institutes, with PhD students involved in fieldwork research. Such a body should include international scientific representatives and should collate global data on MSYs and surplus fish resources so as to inform the purchase of fishing permits and fish from countries outside the EU.

Every effort needs to be made to reduce by-catches of air-breathing animals (mammals, turtles and seabirds) towards zero as quickly as possible via scientific research and development.

- Financial support

Permanent fisheries subsidies should be phased out and temporary funding made available during a period of restructuring, in line with the current EFF funding cycle, in order to pay for adaptations to fishing gear and larger mesh sizes necessary to target mature fish more efficiently and minimise by-catch. Attention should be given to the development of more selective and less habitat disturbing fishing equipment, with the aim of phasing out bottom trawling altogether. Under the new CFP collective funding should be available for research into this area.

Financial support under the new CFP should also concentrate on stock research, cross-sector research development, support to regionalised decision making bodies, and certification and market promotion of certified fish.

Central temporary funding should also be provided for retraining of fishers, enabling them to enter employment within the new related sectors (such as checking fishing permit against animals landed, patrolling MPAs, etc). There should be one-off public funding to meet the costs of scrapping of vessels that cannot be adapted or are surplus to the requirements of efficient fisheries.

The new fisheries fund after 2013 should finance research on rehabilitation of stocks and protection of marine habitat, and innovation of fishing techniques serving that purpose. It should invest in strengthening RACs that are truly representative of all stakeholders, and in the creation of producers' organisations and groups of fishermen for the purpose of self management. It should support certification and the promotion of certified products. It should also support the development of sustainable aquaculture (e.g. through research on fish feed and waste products).

- External dimension

The revenue raised for developing countries from the sale of fishing permits should be ring-fenced within funding for Integrated Coastal Zone Management. Outside the 200 mile Exclusive Economic Zone funds from fishing permits should go into a global pot from which developing countries can apply for funding for design and implementation of their ICZM plans.

- Aquaculture

Aquaculture falls within the European Fisheries Fund and forms an integral part of the current CFP statistics. It influences the way that vast amounts of protein from the world's oceans is utilised and impacts upon local water quality and habitats. The effects of aquaculture on the environment must be monitored closely by a central independent scientific body.

Aquaculture must remain integral to the new CFP in order to be centrally monitored and regulated to ensure that the opportunity to gain fish protein via aquaculture is not outweighed by the ecological threat that it poses.