



## **Opinion of the Federal Republic of Germany on the Green Paper concerning the Reform of the Common Fisheries Policy (CFP) (COM(2009)163 final of 22.04.2009)**

### **I. Key points of the German position**

Germany accords **top priority** to the **sustainability objective** in the planned realignment of the Common Fisheries Policy (CFP). The process initiated by the CFP reform of 2002 should be developed further:

- the expansion of multiannual **management and stock-recovery plans**;
- strengthening the **Regional Advisory Councils** within the scope of the CFP;
- enforcing the measures in the **fight against illegal fisheries (IUU Regulation)** at European and international levels,
- **developing the principle of maximum sustainable yield (MSY)** further into an ecosystem approach (aided by fishery research) with regard to the **precautionary approach**,
- strengthening consumers with a sense of responsibility by enhancing **market transparency and product information** (e.g. EU minimum requirements for voluntary certification systems),
- firmly establishing the sustainability principle in international fisheries agreements whilst taking the interests of partner countries into account.

The shortcomings of the current CFP must be remedied as soon as possible by targeted measures. This applies especially to the **dismantling of existing overcapacities**. They are a major cause of the overfishing of EU stocks and of over-regulation in the sector. The adaptation of fishing capacities to catch opportunities lays the foundation for the gradual **simplification of the CFP**. We could dispense with additional effort regimes, in particular. An effective quota management geared to scientific recommendations would then suffice in order to optimise the management of stocks.

Sustainable resource management should be ensured by the step-by-step introduction of **discard bans** and **landing requirements**, the **protection of juvenile stocks** and incentives encouraging **selective and ecosystem-compatible fishing**.

The EU should assume a more pro-active role at international level. Within the scope of **fisheries partnership agreements** and **regional fisheries organizations**, the EU should step up its efforts for the enforcement of the principles of sustainable fishing, i.e. in particular for a scientifically substantiated stock management on the basis of the ecosystem and precautionary approaches and for an efficient allocation of funds bearing socio-economic concerns in mind.

Germany strongly champions an adherence to the **fundamental pillars of the CFP**. This includes notably **relative stability** and the **system of national quotas** including quota swaps. For this system in which quotas are being managed by Member States in line with specific country conditions has proved its worth in our view. If we were to call the principle of relative stability and the current quota system into question, we would inevitably be facing an escalating discussion on distribution. The solution of pressing problems with a view to achieving the sustainability goal would fall by the wayside then.

In our view, this existing quota system, given effective fisheries monitoring and control, is the best system on balance for ensuring that the **Member States continue to bear their joint responsibility** for sustainable fishing and that European fishing in all EU coastal states has reliable prospects for the future.

The integration of the CFP into the **integrated maritime policy**, in particular the Marine Strategy Framework Directive including the Natura 2000 Directives, requires a strong coordinating role assumed by the European Commission and the active involvement of Member States at the same time in order to safeguard the cohesion of these policy areas.

Greater focus should in future be placed on specific regional conditions, especially in the case of technical measures. This can be achieved above all through more intensive **regional cooperation** between the Member States to the point of drafting joint proposals. Decisions on this must be taken at EU level, however. Germany rejects a delegation of decision-making powers to regional bodies for reasons of integration policy.

## II. Position on the individual elements of reform

### 1. Reduction of fleet overcapacity

In order to achieve sustainable fisheries, the fishing capacities must, first and foremost, be brought into line with the existing catch opportunities. The German fishing sector experienced dramatic structural changes already in the 1990s.

This process continued in subsequent years, albeit to a lesser degree. The number of fishing vessels declined by 15 % in the past three years. Today, Germany's share in the entire EU fleet capacity only amounts to around 2 % while its share in catch opportunities adds up to 9 %.

- *Limitation of fishing capacity*

The development of measures for a targeted adjustment of fleet capacities first requires a profound analysis of the fisheries operated by the individual Member State fleets in order to precisely identify the existing overcapacities. This analysis should be conducted as part of the envisaged impact assessment of the CFP reform.

A curbing of fleet capacity through legislation continues to be necessary even after fleet capacities have been brought into line with catch opportunities that are consistent with the sustainability principle. Capacity ceilings should be imposed on the individual Member State fleets in the future as well, however without allowing for any derogations.

The instruments applied so far (upper limit on engine power, maximum length of vessels etc.) have by and large turned out to be of little efficacy because they had been thwarted by a wide range of measures in the fishing industry and by constant technological innovations and because efficiency and effort are technically very hard to measure in a way that could withstand judicial scrutiny. A fishery-specific limitation and assignment of gross registered tonnage (GRT) would be conceivable, however.

In order to cushion the structural changes triggered by capacity reduction, alternative jobs must, at the same time, be created in the coastal regions concerned. The expansion of sustainable aquaculture can open up opportunities in the fishing sector.

- *Scrapping fund*

The currently possible measures to foster capacity reduction have not achieved the hoped-for effect. Germany therefore takes a very sceptical view of the option of a one-off scrapping fund, too.

- ***Transferable individual or collective rights***

The Federal Government takes the view that marine biological resources constitute an inalienable public good that may be subject to rights of use but not to private property rights. In Germany, the access to fishery resources is always regulated via the allocation of rights to use.

The access is subject to different restrictions, however, depending on the type of fishery (general and specific fishing permits and quotas that are specific to vessels, cooperatives or fisheries companies). It is also common practice in this system to have access rules, relating to time, place, ship-size or fishing gear. However, the Federal Government takes a critical view of the introduction of rights similar to ownership rights, such as individual tradable quotas, as this would instigate a process of concentrating ownership rights in the hands of a few wealthy companies, which could have undesired negative and irreversible consequences on the economic and social structure of small coastal communities with strong links to the fishing industry. For CFP rules to be complied with, it is also important that the Member States share in the responsibility of fisheries management.

- ***Decision-making level for the transfer of fishing rights***

Because of the above reasons Germany takes the view that the transfer of fishing rights should be left to the Member States as hitherto. In the process, we should seize every opportunity for flexible quota allocation in order to optimise quota management. Producer organisations play a key role in this regard.

## **2. Detailed definition of the policy goals**

- ***Setting priorities:***

Economic and social sustainability is only possible with productive fish stocks and healthy marine ecosystems. The economic and social viability of fisheries is conditional on the recovery of the productivity of fish stocks. There is therefore no conflict between ecological, economic and social goals in the long term. In fact, ecological sustainability is a basic prerequisite for the economic and social future of European fisheries.

- ***Safeguarding employment***

The required cutback in fishing capacity will inevitably result in a loss of jobs in sea fisheries. Alternative job opportunities must be created for the labour force concerned. This should be done by promoting the diversification of the industry in the coastal

regions. The fisheries sector can also play its part in this endeavour, e.g. by expanding sustainable aquaculture and the range of services offered in connection with tourism and nature conservation.

- *Indicators and implementation objectives for decision-making*

A maximum sustainable yield (MSY) based on the ecosystem approach and the fishing capacity required to this end are key indicators for achieving sustainable fisheries (cf. in this regard the explanations on the MSY approach in chapter 7). The implementation objectives of capacity reduction and the alternative job requirements should be determined on the basis of these two indicators. The industrial fabric in the coastal regions shaped by the fishing industry constitutes a major factor. Structural policy measures in these regions must be primarily focused on economic diversification in order to create new jobs.

### **3. Focusing the decision-making framework on core long-term principles**

- *Distribution of responsibilities*

Resolutions concerning important fishery measures having extensive effects on the fishing industry should continue to be made by the Council in future and – subject to the Treaty of Lisbon – always in a co-decision procedure with the EP.

- *Decision-making on technical issues*

However, there should be a stronger focus on the specific conditions of different regions and ecosystems when it comes to developing technical measures for the recovery of fish stocks, such as area closures, enhancing selectivity and discard bans – and of measures for the protection of endangered species and habitats such as management measures for the implementation of protection targets in Natura 2000 areas. This can be achieved, in particular, through more intensive regional cooperation between the Member States and third countries concerned to the point of drafting joint proposals. The crucial aspect, however, is that corresponding proposals are reviewed by the European Commission and decisions on them must be taken at Community level. Here, too, an adequate involvement of the Council (Regulatory Committee Procedure) must be ensured, in principle, in the interest of adequate co-responsibility shouldered by the Member States.

Germany rejects a delegation of decision-making powers to regional bodies for reasons of integration policy.

- *Strengthening the Advisory Committee and the Regional Advisory Councils*

Greater attention should be paid to the recommendations made by the Regional Advisory Councils (RACs), all in all. The Commission should ensure that proposals made by the Advisory Committee on a more practically-oriented shaping of implementing provisions and on simplification of legislation and regulatory reform can make themselves heard.

#### **4. Encouraging the fishing industry to take more responsibility in implementing the CFP**

- *Delegating more responsibility to the fishing industry*

All in all, the fishing industry should exercise greater responsibility in the management of quotas and fishing effort in order to optimise it and to avoid discards as much as possible. An adequate horizontal and vertical integration of the fishery sector represents the precondition for this. Hence, the authorities of the Member States could delegate the allocation of quotas and fishing effort to individual enterprises, e.g. to strong producer organisations as far as possible.

Furthermore, incentives in favour of selective and ecosystem-compatible fisheries are suitable for strengthening the fishing industry's own responsibility and for achieving policy goals more rapidly. In order to avoid discards, the prospect of higher quotas could be held out to be fisheries undertakings, for instance, if they get involved in specific monitoring programmes on a voluntary basis. Germany submitted a memorandum on this with relevant proposals together with Denmark and the United Kingdom.

- *Monitoring of self-reliant management*

If competencies were to be delegated to the producer organisations, the monitoring of quota and effort management would result in an easing of the burden on the authorities because the number of checks could be substantially curbed on balance. What is more, the new Control Regulation allows a quicker matching of data and checks that are more strongly focused on risks.

For specific measures, such as programmes to avoid discards and the by-catch of protected species, either video surveillance on board or scientific monitoring programmes should be envisaged.

• *Improving the management of fisheries and strengthening competitiveness*

A better management of fish stocks first of all presupposes that every opportunity for a flexible allocation of quotas has been exhausted at national level. The establishment of producer organisations with a strong market position is a major advantage in this respect. This should be supplemented by the optimisation of quota uptake through the exchange of catch opportunities among the Member States.

The progressive introduction of discard bans and landing requirements will tend to result in a strengthening of the organisational structures in the fishing industry because this is the only way to optimise the use of existing fishing rights. As a result of the recovery of fish stocks and due to the use of more selective fishing gear we will see a substantial decrease in the fishing effort per tonne of caught fish. Therefore, a better management of fisheries and a more sustainable resource management will, at the bottom line, help to considerably strengthen the competitiveness of EU fisheries in the long run.

## **5. Developing a culture of compliance**

The recently adopted amendment of the Fisheries Control Regulation that has completely realigned this sector laid the groundwork for the development of a culture of compliance. We should first of all await the impact of the new provisions that will take effect from 2010 and 2011 respectively.

## **6. Protection of small-scale coastal fisheries**

Germany does not consider a different approach in fisheries policy to high-sea and coastal fisheries to be expedient given the smooth transitions that exist in the fisheries sector. However, specific simplifications in individual regulatory areas for coastal fisheries will still be required in the future as well in order to avoid burdening small-scale artisanal businesses engaging in sustainable inshore fisheries with excessive bureaucracy. This will incidentally also lighten the workload of the Member States' authorities. However, the state cannot relieve even the small-scale fisheries companies of their entrepreneurial responsibility. These companies must remain sufficiently competitive themselves in order to gain ground in the market and thus secure the livelihood of the family. Germany rejects rules that help to preserve unviable structures that are permanently reliant on state subsidies.

## 7. Making the most of our fisheries

- *Long-term management plans*

The policy of drawing up multi-annual management and stock recovery plans should be rigorously continued in the future and applied to all overfished stocks. It is also advisable to shift from one-species monitoring to an ecosystem-based multi-species approach in the future. The individual species should no longer be seen independently of one another because they are frequently closely connected as components of the ecosystem. (The yield of pelagic fishing for herring in the North Sea, for instance, depends on how many predators exist as a result of the management of demersal fishing for whiting and cod.)

It is at the same time necessary to focus more on the negative impact of fisheries on non-target species such as protected fish species, marine mammals and seabirds and to take appropriate action to contain it. It is therefore important to develop concepts that secure a sufficient yield for all fisheries within one ecosystem without harming other fisheries and the components of the marine ecosystem and its function in the process. Management plans specifically for mixed fisheries should therefore be given preference over management plans for individual stocks with due regard to the ecosystem approach.

- *Moving to the maximum sustainable yield (MSY)*

For the reasons set out above, the current concept of maximum sustainable yield (MSY) is only suitable up to a point for ensuring sustainable fisheries on a permanent basis. It does not correctly reflect the biological reality since the stocks are interrelated via the food chain and, at the same, time constitute a component of the marine ecosystem. Each management decision in one fishery modifies the yield in other fisheries. The productivity of stocks, too, is subject to constant fluctuations. Therefore, there is no maximum sustainable yield that can be harvested from a specific stock for a long time.

In contrast, an implementation of the MSY concept based on the ecosystem approach can help to lower fishing mortality and to lessen the impact on marine ecosystems.

- *Implementation of the MSY commitment in mixed fisheries*

The application of the MSY concept in mixed fisheries involves added requirements for quota management. However, the phasing-in of discard bans and landing requirements demanded by Germany will in any case necessitate an adaptation of the national quota management system. Hence, it is necessary that mixed quotas reflecting the share of



individual fish species in the catch will in future be allocated to fisheries with a lot of by-catch. Germany takes the view that maintaining the three pillars of the Common Fisheries Policy (relative stability, national quotas and management and the Member States' right to quota swaps) offers sufficient flexibility so as to accommodate the new requirements as well.

- ***Main management system for Community fisheries***

Germany endorses a pure quota system as main management system. This system would most likely ensure sustainable fisheries if the compliance with quotas were to be effectively checked and severe penalties imposed for violations. The new Control Regulation has paved the way for this.

Pure effort management systems have not proved their worth in those states that have gained experience with them. They provide an incentive for fishery companies to exercise "olympic fishing". Generally speaking, this tends to result in major imbalances on the markets, in an early exhaustion of total allowable catches through optimal utilisation of the catch effort and accordingly in policymakers being under mounting pressure to provide additional catch opportunities. The introduction of pure catch effort systems is not consistent with the sustainability principle and is therefore rejected by Germany.

Mixed systems comprised of catch quotas and fishing effort management schemes (kW days scheme), as they are currently being applied to various fish stocks in EU waters, involve a high bureaucratic burden. Germany believes that the costs outweigh the benefits in this respect. If need be, they could be considered as an accompanying transitional measure to adapt catch capacities to catch opportunities.

- ***Avoidance of discards***

A wide range of instruments is available to minimise undesirable by-catches. Technical measures that prescribe more selective fishing gear would be the quickest to implement. They could also help to reduce the undesirable by-catches of non-target species and of protected and endangered species. Incentive schemes for selective and ecosystem-compatible catch methods constitute a further key instrument. Further instruments encompass the temporary or permanent closure of areas to fisheries where particularly high by-catches of juvenile fish and protected or endangered species occur or where large recruitment year classes of fish stocks are locally concentrated.

What matters for Germany, however, is the progressive introduction of discard bans on no longer viable by-catches and landing requirements (combined with setting off species

subject to quota allocation against the target species quota). Germany is convinced that this is the only way to put a stop to the lamentable waste of resources in some fisheries. This would at the same time give fisheries an incentive to take measures to reduce by-catches and to assume greater responsibility for a sustainable, ecosystem-compatible resource management. Germany also expects from this a marked improvement in consumer acceptance on the market. Finally, the discrepancy between the official landings and actual catch levels can be removed, thus clearly raising the quality of scientific stock assessments.

## **8. Relative stability and access to coastal fisheries**

- *Developing relative stability further*

Regardless of the necessary reforms, European fisheries require a reliable economic framework. It is therefore Germany's view that the key elements of the Common Fisheries Policy are not open to discussion. This includes specifically the allocation of the total allowable catches according to the principle of relative stability and the system of national quotas. These basic pillars are best for ensuring that the Member States' joint responsibility for sustainable fishery is preserved and that coastal fishing has reliable future prospects.

The current system offers Member States, both nationally and within the EU, ample scope for optimising the quota system. In view of the flexibility of the system, the allocation of total quotas to producer organisations and the quota swaps among Member States play a crucial role.

- *Privileged access to the 12 nautical mile zone*

Germany takes the view that the existing rules on the 12 nautical mile zone of the Member States have proved their worth. These should also be maintained in the future, in particular to secure future prospects for small-scale fishing and in order to safeguard a sustainable ecosystem-compatible use of marine living resources in inshore oceanic waters.

## **9. Trade and markets**

The Common Market Organisation is an integral part of the Common Fisheries Policy. It should be continued and developed further so that we can efficiently face up to the challenges of the future. Given the large import requirements of the EU, import facilities such as the suspension of customs duties and the granting of import quotas are vitally important.

- ***Promotion of market-efficient and sustainably used fisheries***

Hardly any use has been made of intervention mechanisms for price support (withdrawal operations, carry-overs and private storage) or of compensatory mechanisms in the past. Germany takes the view that they should no longer be applied also in view of ever scarcer fishery resources and the rising demand for the high-priced product fish.

- ***Promotion of certification and quality label initiatives***

In order to achieve the sustainability goal, responsible consumers must be enabled to make the right purchasing decisions. Market transparency and consumer information are therefore all-important. The sustainability label and traceability of fishery products can make a major contribution towards this. Information on commercial names, production methods or catch area are a valuable contribution towards supplying consumers with the shopping information they need.

It is crucial that the scientific monitoring of the certification process, the compliance with stringent ecosystem-based criteria and the transparency of the processes are enshrined in pertinent binding bodies of regulations and safeguarded by independent certification organisations. In addition, individual products can be given added value by marketing campaigns on the MSC label or other certificates held in great esteem by consumers (regional product, particular freshness etc.). In late 2008 already the Federal Government together with the industry and environmental conservation groups established minimum criteria for a fisheries eco-label and requested the European Commission to submit a proposal to this effect.

- ***Support of traceability and transparency in the production chain***

A precise labelling of products originating from sustainable fisheries is needed. However, bans on imports of fishery products where proof cannot be furnished of the products having been caught in a sustainable manner appear to be problematic in light of international trade rules.

We should strive for introducing more precise indications of catch areas on the label for sea fish. Germany formulated a concept proposal in this regard at a round table meeting and presented it to the Commission. The German retail sector already implements this proposal on a voluntary basis. We should dispense with the requirement of documenting the compliance with every marketing standard at retail level.

- ***Role of the producer organisations***

Germany fosters the establishment and strengthening of producer organisations. Only by reinforcing horizontal and vertical cooperation in the fishing sector can the sustainability principle be sufficiently strengthened throughout the entire chain from vessel to consumer.

Moreover, the producer organisations are central to strengthening the self-reliance of the sector that is a major precondition for a drastic simplification of the Common Fisheries Policy and for the sustainable improvement of the competitive standing of European fisheries.

- ***Role of trade policy***

The trade with third countries continues to increase. There is a great demand for raw material from fish that is required by the European fish-processing industry. As the most important global import market for fishery products the EU bears a special global responsibility for a sustainable management of the marine living resources of our planet being one of the key staple foods of humanity.

The EU is called upon to push hard for fair trade relations in the future as well. This also includes that the international community ensures through suitable measures in conformity with WTO rules that only goods from legal fisheries come onto the market.

The so-called IUU fisheries is one of the main causes of global overfishing. If we were to succeed in eradicating IUU fisheries from the markets, we would make a key contribution to reducing the fishing pressure on fish stocks and to fostering more sustainable fisheries.

## **10. Integrating the Common Fisheries Policy in the broader maritime policy context**

The fisheries sector, too, must play its part in an integrated maritime policy of the EU so that we can achieve, in line with the Marine Strategy Framework Directive, a good status of the marine environment by 2020 and realise both the protection goals of the Natura 2000 Directives and a sustainable development in the coastal regions. Within the scope of an integrated maritime policy, endeavours should also be made to create a favourable environment for the sustainable use of the oceans and thus for the mobilisation of employment potential. Along these lines integrated maritime policy can make valuable contributions to the safeguarding of jobs and to the diversification of economic activities in coastal regions.

- *Interactions between the fisheries sector and other sectors*

In the German exclusive economic zone (EEZ) alone ten Natura 2000 areas have been listed that make up around 30 % of its expanse.

Management plans containing concrete objectives and measures and rules governing fisheries must be drawn up for these areas by 2013 at the latest. In the process, the necessary fishery-related measures will be stipulated under the CFP. The Federal Government regrets that the deliberations on the creation of the necessary legislative procedure could not be concluded under the Swedish Presidency within the scope of the amendment of the Regulation on technical measures. Germany expects the deliberations on this issue to be resumed within the scope of the co-decision procedure with the EP in early 2010. A speedy adoption of the regime would assist the Member States in their efforts to be able to meet their obligations under the FFH Directives on schedule.

- *Consistency of the CFP with the Marine Strategy Framework Directive*

The consistency of the CFP with integrated maritime policy and specifically with the objectives of the Marine Strategy Framework Directive, including the Natura 2000 Directives, will be a priority matter in the implementation of the new CFP. This consistency can only be ensured if the European Commission assumes a strong coordinating role and if the Member States are actively involved at the same time.

The fishery-related descriptors in Annex 1 to the Marine Strategy Framework Directive, in particular the conservation of biodiversity and of commercial fish stocks, constitute key indicators of ecological sustainability in the fishery sector as well and should be taken into account in an assessment of this sustainability and in future fishery management recommendations under the CFP.

- *Adaptation to climate change*

As a result of climate change, the CFP, too, will be facing new challenges. Today already we can observe a geographical shift of certain fish stocks, i.e. that specific fish species leave their traditional "native waters" and new species enter them. It is therefore important to conduct extensive research into the impact of climate change on fisheries and also on marine ecosystems and coastal regions and support the development of strategies for adjustment.

Especially for species that are more severely affected by climate change (e.g. cod), effects such as diminished recruitment or higher mortality should be incorporated into stock forecasts and ultimately in fishery management measures.

Fisheries could, in general, help to preserve the resilience of marine ecosystems against climate change by managing the resources above all in a sustainable manner and by using fishing techniques that are as selective as possible and compatible with the ecosystem. A rigorous application of the ecosystem and precautionary approaches is instrumental in this.

## **11. Knowledge base**

- *Coordination and promotion of research*

We must press ahead with research coordination and the setting of priorities first of all. With a view to the implementation of the goals laid down in the Natura 2000 Directives and in the Marine Strategy Framework Directive, existing knowledge gaps especially with regard to the impact of fisheries on non-target species – such as e.g. bycatch rates of seabirds and marine mammals – and on benthic habitats must be closed in order to improve the data base. In the European context, a better coordination between the scientific coordinating bodies (e.g. ICES, EFARO) and the donors (EU, national programmes) would be welcome.

- *Involvement of stakeholder bodies*

We should aim at an informal involvement of the fishing industry and the RACs in the orientation of research programmes. Furthermore, an exchange of information with regional marine conservation agencies should also be conducted. The cooperation between research and fisheries within the scope of projects enhancing the sustainability of fisheries will gain in importance in the future. This should be supported by a suitable framework under the Common Fisheries Policy.

## **12. Structural policy and public financial support**

- *Priorities for future public financial support*

An adaptation of catch capacities continues to be necessary in some EU fleets. Support from the Community budget should be *targeted* towards fisheries where overcapacities exist.

Measures to foster fisheries that are particularly sustainable and selective and to strengthen the self-reliance of the fishery sector should receive more support.

- ***Targeted promotion of transitional measures***

We should strive for a stronger focus of financial support on time-limited, degressive transitional measures with clearly defined aims (putting a stop to discards, stock recovery or the like).

- ***Consistency of CFP instruments with other instruments***

The EFF support in the inland fisheries and aquaculture sectors is already consistent with the CFP. Germany does not believe that further interconnections, for example by means of new texts in Community law governing inland fisheries, would be a good idea.

- ***Financial resources for a speedy response in case of an emergency***

Financial resources to overcome emergencies should not stand in the way of longer-term objectives of adjustment. Germany rejects temporary payments to compensate for higher fuel prices, for instance.

- ***Differentiation between business segments and regions***

Financial support can be justified notably for those business segments that incur higher costs as a result of acting in a way desired by fisheries policy (e.g. adapted fishing methods of small-scale coastal fisheries) that cannot be passed on to the market price. We should take care in the targeted promotion of individual (convergence) regions that the subsidized projects create additional value-added and do not result in a relocation.

- ***Phasing out of permanent fisheries subsidies***

Permanent *direct* subsidies in the fisheries sector, except for subsidies for the public infrastructure and for research and development, should be fully phased out in the long run with due regard to international competitiveness.

### **13. The external dimension**

- ***Other goals besides responsible and sustainable fisheries***

The importance of the fishery and aquaculture sector for development policy lies in its important role as source of food, employment and foreign exchange. Fisheries and aquaculture directly or indirectly secure the livelihoods of roughly 200 million people in

developing countries. The external dimension of the CFP should therefore as a core objective also aim at achieving the UN Millennium Development Goal (MDG) 1 "eradicating extreme poverty and hunger".

- ***Stronger role of the EU on the international stage***

The EU should further better governance of the sea and fisheries by showing greater commitment in the UN General Assembly and in the FAO Committee on Fisheries. In this context, the EU should strive for a strengthening of the global architecture of integrated maritime policy and – as envisaged in the EU Action Plan on integrated maritime policy – integrate maritime policy issues in the dialogue with developing countries.

In addition, we consider a deepening of bilateral political and economic relations in the fisheries and aquaculture sectors as crucial. The expansion of technical cooperation with due regard to the position of the partner country is essential in this regard. Fisheries Partnership Agreements between the EU and third countries must aim at a reconciliation of interests.

The EU should also work towards strengthening the Regional Fisheries Management Organisations (RFMOs) and towards establishing effective administrative structures and sustainable fisheries management in third countries.

- ***More efficient regional fisheries organisations***

The EU should step up its efforts in regional fisheries organisations to lobby for a sustainable, scientifically based management of global fish stocks and to resolutely combat illegal fisheries. Responsible and sustainable governance of fisheries must take centre stage in EU Fisheries Partnership Agreements. We should review the architecture of our agreements under this aspect.

- ***Paying for catch opportunities within the scope of regional fisheries organisations***

The levying of charges for catch opportunities in waters governed by the rules of regional fisheries organisations should be discussed by these organisations. Germany opposes a go-it-alone approach by the EU in this field due to the distortions of competition that would involve for EU fishermen.

- ***Shaping of future international Fisheries Agreements***

When shaping future fisheries agreements, the EU should place a greater focus on the use of earmarked funds in the fisheries sector of third countries.



Apart from investment promotion and the creation of new jobs, the building of efficient administrative structures to optimise fisheries management and to enforce legislation through effective checks will be of major importance. The EU should require the recipient countries to render the allocation of funds transparent and verifiable for the EU. In doing so, the principal focus must lie on promoting responsible and sustainable fisheries. The measures should, at the same time, be geared towards increasing the value-added of the fishery sector in the respective partner country. They should also take account of the development of sustainable aquaculture as a measure of fisheries policy. The projects funded by EU resources should at any rate be aligned with the projects of technical cooperation.

- ***Fisheries Partnership Agreements and other forms of cooperation***

The Fisheries Partnership Agreements concluded by the EU alone will generally not suffice in order to achieve sustainable fisheries in third countries. They must be supplemented by other forms of cooperation. Targeted development projects are needed, in particular, in order to promote the setting-up of sustainable fisheries in the partner countries that can ensure both the domestic supply and the exportation of fishery products. These development projects should preferably be implemented under regional programmes.

- ***Enhancing the transparency and efficiency of research in partner countries***

The research into assessing the sustainability of fisheries specifically necessitates the increased use of technologies allowing a monitoring of fishing activities with blanket coverage and high temporal and spatial resolution. This includes, in particular, satellite-based vessel monitoring (VMS). An extensive gathering of data on landings in partner countries is also required in order to allow traceability from fishery product to the catch area. Furthermore, the scientific cooperation with partner countries should be intensified and support should be provided in data analysis, if required.

- ***Compliance with new legislation in developing countries***

The observance of fisheries rules that had been agreed at international level first of all requires the creation of an analogous legal base in the partner countries for the new provisions to be applied.

We should further the creation of a regulatory framework by financial and technical cooperation and, likewise, the required surveillance and monitoring systems to verify compliance with specified catch levels and the assigned catch effort.

Concrete projects on the training of suitable staff in the partner countries, the provision of infrastructure (inspection vessels, other control instruments etc.) and assistance in the setting-up of local fishery organisations by involving EU experts in stock management and data gathering and joint research projects in technology and ecosystem research can make major contributions in this regard.

- *Integration of the European fishing fleet*

The "technical component" of the Fisheries Partnership Agreement, in particular, should be brought into line with the fishery policy goals pursued by the partner countries and it should not be targeted at the necessary dismantling of overcapacities in the European fleet. The guiding principle for any delivery of EU fishing vessels to third countries should be that this delivery must be economically, social and ecologically acceptable and that it should be conducted in a transparent procedure in which the European Commission takes part. The delivery and management of the vessels should be conducted within the scope of transparent contracts that had been formulated beforehand.

- *Potential of small-scale fishing in third countries*

The potential of small-scale fishing can be increased by the establishment of producer organisations and trade bodies, in particular. It should be ensured in the process, however, that fishermen are represented at different decision-making levels and involved in decisions (co-management). Add to this the phasing-in of environmental and social standards and the certification of sustainable fisheries since there is a great demand for products from these fisheries in trade and among consumers in the importing countries. The EU can provide valuable aid in improving standards and certification not least in order to prevent non-tariff trade barriers.

## **14. Sustainable aquaculture**

A matter of special concern in the Council conclusions on the development of aquaculture in Europe lies in freeing this sector from regulations that curb its growth ("reduction of bureaucracy"). Aquaculture farms currently face a host of rules of the most diverse fields that are not always compatible with the desired expansion of this sector. The expansion of

aquaculture should be left to the Member States because it is not based on a common resource.

Large segments of current and future aquaculture, too, are based on inland waters and artificial types of fish farming such as pond farming and recirculation systems and on oyster and mussel cultures close to the coast. The development of a sustainable and ecosystem-compatible mariculture at inshore and offshore sites with net-cage fish farming is just getting started and requires scientific monitoring. Aquaculture can only represent a sustainable addition to and, as appropriate, alternative to capture fisheries if it comes along with sustainable breeding methods and processes. Otherwise, aquaculture could cause adverse changes to the sensitive coastal ecosystems associated with economic and social problems. Community-wide regimes always face the problem of being only able to take account of the specific regional conditions to a very limited extent.